

Crime-1927

Alabama.

Law Must Be Allowed To Take Its Course In Case of Accused Negro

Sheriff W. E. Parker and Chief Sam Smith, of the Anniston police force, are to be commended on their determination to see to it that the law is allowed to take its course in the case of Henry Young, negro, who is held in connection with the death of a six-year-old white boy.

When reports reached officers Saturday night that a mob was being formed to storm the county jail, where Young and two negro children held for investigation of the case are confined, preparations were made to meet any emergency, although it was not believed that any serious attempt would be made to take the prisoner.

Officers and others in touch with the situation gave little credence to the reports that a crowd of men assembling in the western part of the city would attempt to break into the jail to get at Young, but the sheriff's staff and the police force took no chances on having to cope with a surprise attack.

If Young is guilty of the murder of the Harrison boy, no justification of mob violence is offered. It should be left to a jury to decide his guilt or innocence, if he is indicted by the grand jury. Punishment by a mob is never justified, but it would be all the more horrible if an innocent man should be dealt with in that way. If the negro accused of this crime is innocent, and he has a right to be regarded so until he is proven guilty in the courts, no man with an ounce of justice in his heart would want to harm the accused. Therefore, to talk of mob punishment now, is to talk of punishing an innocent man. But if it was known beyond a shadow of doubt that he was guilty, there would be no additional cause for action other than through the regular channels of the courts.

Any action by a mob, whether the purpose of the uprising is accomplished or thwarted, places a blot on the record of a town or community, often giving the place where such an outbreak occurs a reputation for lawlessness which is never lived down.

ASKS THAT LIFE TERM BE ALLOTTED TO HAYS LEONARD

Says He Alone Was To Blame and Had Revolver, But Stood 15 or 20 Yards From The Scene

Probably the most manly act ever performed by Clyde Reese Bachelor during his entire life was the writing just a few hours before his execution Friday morning of the letter to Governor Bibb Graves in which he asked mercy for Hays Leonard, negro, a former employee and accomplice in the murder of Judge Lamar Smith.

In this letter Bachelor took full blame for the crime, stating that the negro is of a low degree of mentality and is the type of negro who would do anything a white man ordered him to do. He said, in effect, that Leonard was under his complete domination and control, and that while the negro should be punished for his part in the murder, he felt that life imprisonment would be an adequate penalty for the negro to pay, and asked the governor to commute Leonard's sentence to imprisonment for life.

There was only one thing, Bachelor said in his letter, that he wished to correct, regarding the negro's story of the crime. Bachelor said he was present when the fatal shot was fired, and that he was armed, but that he stood some 15 or 20 yards away from Leonard. Bachelor assured the governor he had no hard feelings toward him—the governor.

The letter of the condemned man was addressed to the governor personally, and was read by the chief executive Friday morning, just before he left the city for a brief rest over the week-end. It was stated that the governor would not return to Montgomery until next Tuesday morning.

The body of Bachelor was interred Friday morning in Beulah cemetery.

JOURNAL MONTGOMERY, ALA.

JUN 2 1927

PISTOLS IN BIRMINGHAM.

Of 25 negroes held by Birmingham police in connection with the wanton killing of a traffic policeman 11 were said to have been armed when arrested. Nowhere else is the pistol-toting habit more prevalent than in Birmingham.

This condition is not due to the fact that Birmingham is the largest city in the state, but results largely from the character of the population and a spirit of lawlessness that dates back to the early days when Birmingham had an unenviable record for shootings and killings. Among the editors of Alabama, "Bad Birmingham" was a

topic for editorial moralizing that brought forth a great deal of pertinent and often merited criticism.

Murder is still of frequent occurrence in Birmingham, and this fact may be attributed largely to the pistol-toting habit. Also Birmingham is the rendezvous for many criminals, black and white. Men who have served time in the coal mines and prisons of Alabama turn to Birmingham when they are released, and there foregather with their kind. Such characters regard a pistol as a necessary part of their equipment and rarely go without it.

In addition to a considerable number of whites and negroes who belong to the criminal element, or may be classed as potential criminals, there are other persons who have the pistol-toting habit. These persons have the mistaken idea that they must "protect" themselves, but in a majority of instances the pistol that is carried ostensibly for "protection" is an offensive weapon. Probably, if the police of Birmingham could arrest in 24 hours all the people in the Birmingham district who unlawfully carried pistols, it would be found that there is in Birmingham a veritable army of pistol-toters, the greater part of them negroes. What is to be done? Thus far efforts to keep pistols out of the hands of persons who have no legitimate reason for carrying them have met with little success. Not until laws are enacted that will strike at the source of small arms—the small arms factories—will any appreciable headway be made in controlling the sale and use of such weapons. Even if so drastic a law were enacted, over the protest of the arms and munitions manufacturers, pistols would still be smuggled into the country from abroad. If it could be effected, strict regulation of the traffic in pistols would greatly reduce the number of murders committed in the United States.

GRAB THE PISTOLS

It is high time that Alabama had a concealed weapon law with teeth.

This state's deplorable murder and homicide records cry out to all right-thinking citizens.

It does precious little good at this hour to lament the death of that brave traffic officer whose life was sacrificed at duty's post Saturday night, without looking earnestly toward righting the condition which brought about his untimely end.

The murder of Officer Manley brought to light a shocking condition—one to which the public too long has closed its eyes. The practice of carrying concealed weapons is well nigh universal among half the negro male population which roams the streets late at night. Records show in this case that about half the negro men arrested Saturday night as suspects in the case, carried formidable pistols or dangerous knives.

A majority of men out with a dangerous gun at night, will use it if pestered. Most men who carry guns concealed contrary to law in their pockets are potential killers. There can be no other reason for carrying a pistol.

The man with a gun often does not use that prudence and foresight required by law and moral right. The gunman usually is a bully.

The night prowler; the negro youthful dandy; the negro bandit, will shoot their way out usually when cornered. The desperado who slew Officer Manley found himself in a close place. He was doubtless guilty of some crime and his burning conscience swelled when he was apprehended. His cowardice was bolstered by his ready gun, and the brave officer fell victim as many other Birmingham policemen have fallen in time past.

And this murder record will continue to grow unless something is done to put teeth in the concealed weapons law. Every man caught with a pistol should be put on the chain gang, no matter whether he be negro or white, man or woman. The average pistol toter is a potential murderer. What cares the pistol-toting lawbreaker for a \$50 fine? He laughs it off and carries his pistol out of court wrapped in a piece of paper as merchandise!

Instead of wasting a lot of time at Montgomery this summer piddling over political issues and inconsequentials, the lawmakers could really serve their state well if they would get noses together and do something to check murder.

AGE-HERALD
BIRMINGHAM, ALA.
MAY 30 1927

CONVICTS REBUILD 70 MILES OF ROAD

Less Than 300 at Work; Can Be
Done as Cheaply As by
Contract

Approximately 70 miles of road have been graded and drained, rebuilt and resurfaced by the state highway department with the use of convict labor since June 30, according to figures on file in the office of Colonel Woolsey Finnell, state highway director. The average number of convicts employed has been less than 300. Experience has shown, Colonel Finnell said, that the state can do this roadwork with convict labor as cheaply as it can be done under contract.

Grading and draining of 14 miles of highway on the Norman bridge road in Montgomery county has been completed and 8 miles of this has been surfaced with gravel. He expects to have the entire 30 miles of this road extending from Felder avenue, in Montgomery to the Crenshaw county line, completed by February 1, 1927. The road to the Crenshaw line will be paved some time next year, as soon as the roadbed, fills and bridge approaches have sufficiently settled.

Between Newbern and Uniontown, 11 miles of grading and draining work with convict labor, has been completed. On the Bessemer-Tuscaloosa road, 10 miles of grading and draining have been completed in Jefferson county, and two miles in Tuscaloosa county. Three miles of grading and draining have been completed in Jefferson county, on the Birmingham-Gadsden road. On the old Birmingham highway, the road has been rebuilt from Wetumpka to Elmore, in Elmore county. From Elmore toward Birmingham, 13 miles of the same road have been machine graded and 3 miles rebuilt and nine miles of this road from Elmore toward Montgomery has been resurfaced with gravel to a thickness of eight inches.

Recently, one of the state road camps has been moved to a point between Marion and Greensboro. Another is being moved to a new site between Greensboro and Moundsville. From these points, other road projects will be begun with convict labor. The convict camp on the Bessemer road, in Jefferson county, will be moved to a location near Brookwood and eight miles of road will be built connecting Moundsville with Centerville and other points. Seven more miles of grading and draining work will be done on the Tuscaloosa highway.

A road is to be built, Colonel Finnell said, from Robinson Springs to the Birmingham-Montgomery highway, entering this highway at a point near Prattmont, in Autauga county, and completing an Elmore county-Autauga county connection. He stated also that a new convict camp will be established on the road between Prattville and Burnesville, forming part of the Selma highway. This camp, he said, will be located near Autaugaville.

After the grading and draining of

the Norman Bridge road is completed, the highway department will begin the grading and draining with convict labor, of the Montgomery-Mobile highway, between Montgomery and the Lowndes county line.

NEGRO COMMUNITY HAS LITTLE CRIME

New Jersey's Ebony Garden
Of Eden Has Volunteer
Firemen, Policemen

NEW YORK, Sept. 6.—(P)—Little crime and big economy prevail in "New Jersey's Ebony Garden of Eden." The Herald Tribune says, in a review of the first year since incorporation of the Borough of Lawnside, N. J., governed for and by negroes.

While municipal revenues failed to equal administrative expenditures of \$5,625 for the year, expenses were held down through the public spirit of the mayor, who serves without pay, the collector, the auditor, the solicitor and the clerk, who each receive only \$250 annually.

Mayor James Hemmings makes his living as a steam roller pilot. Volunteer firemen receive no salary and six policemen support themselves by odd jobs. When trouble arises they rush home, don their ornate uniforms and hurry to the scene of disorder.

The policemen, however, have had little to do. Council President John Brown says there are four bootleggers in Lawnside, but not one arrest for drunkenness was made by the volunteer officers. There has not been a murder, robbery or other felony in the Borough during the year.

The borough has an eight-room schoolhouse for 248 pupils, a park, swimming pool, and boating pond. Ninety per cent of its citizens own their own homes.

Lawnside's population is 2,000 negroes and 40 white people.

Negro Murderers Beg For Their Lives At Board Hearing

Three heavily manacled negro murderers presented an unique spectacle Tuesday as they sat in the office of Governor Bibb Graves

and listened to arguments for and against their petition for commutation from electrocution to life in the penitentiary.

The members of the pardon board sat with the governor and heard the arguments presented by both sides, those who wanted an eye for an eye and a tooth for a tooth, and those who sought life instead of death.

The condemned negroes were Jeff Coleman, Bob Eatman, and Frank Adams. They sat unmoved as the arguments for and against them were made and following the hearing it was announced that the board of pardons would make a recommendation to the governor in the next few days.

Jeff Coleman was given the death sentence for the murder of A. A. Manley a Birmingham policeman. Bob Eatman was convicted of the murder of his mother-in-law in Hale County, while Frank Adams was given a death sentence for killing another negro in Shelby county.

Willard Drake, assistant solicitor of Jefferson County bitterly opposed the commutation of Coleman's sentence saying the policeman's murder was cold blooded.

NEGRO GETS 50 YEAR TERM FOR MURDER

Bryant Draws Long Sentence
For Tillery Shooting; Marshall
Given 40 Years

Ira Bryant and Alroy Marshall, negroes, were sentenced yesterday to penitentiary terms of 50 and 40 years, respectively in the Circuit Court for murder, second degree, in connection with the fatal shooting of Henry Tillery, of Grady, several weeks ago. Bryant was tried Monday but the verdict was returned by jury until yesterday.

According to Bryant's testimony, a few weeks ago he and Marshall were shooting at a "spot" near the highway leading from Grady, when Tillery, who had passed them on a truck, returned and asked who was shooting at him. Bryant claimed that Tillery drew a knife upon him before he fired. Marshall is also said to have fired. A few minutes following the affair, Tillery died.

Murrell Lee Harris, negro, was sentenced to serve ten years in the penitentiary for the murder of Buck Dickson also a negro. Harris is said to have shot Dickson following an altercation that occurred some time ago on the 800 block of South Hall Street. Harris contended that he shot Dickson in self-defense.

The case of Albert Dunn, negro, charged with the murder of Charlie Scott, negro, several months ago, was continued to the next regular term of the Circuit Court.

"Do Something For Me" Is Final Plea Of "White Man's Negro" Sentenced To Die

Hays Leonard, the stammering half-wit negro who did his master's bidding at the point of a revolver and blew out the brains of Judge Lamar Smith on the night of Aug. 30, 1926, received the news of the Supreme Court's ruling that he must die for the crime without any sign that he knew just what it was all about.

Incarcerated in the Montgomery County jail where he will probably be held until he is taken to Wetumpka for resentencing in accord with the Supreme Court's order, Leonard was found by a reporter in the "bull pen," engaged in scrubbing the floor.

"Hays," he was told, "I've bad news for you."

He paused—"Yes sir, boss." "The court, the big court up at the capitol, turned your case down today."

Not a tremor came over the negro's big frame. Not a muscle in his face moved. He seemed to try to grasp what had been said to him. And when he spoke there was no trace of the stammering which tied his tongue when he testified for himself on trial.

"Yes sir, boss," he said simply. "It'll be sometime yet, a month or six weeks at least and they will take you over to Wetumpka to restence you before they take you to Kilby prison. And the governor will look into your case after that, perhaps."

Leonard was silent. "Are you ready to go Hays?" "Yes sir."

The negro was given a tin of tobacco and some cigaret folds. He said that no one on the outside had been to see him in four or five months and that Mr. Sealy and others at the jail were kind to him.

In the jail the warden stated, "Hays Leonard is just what he has always been a 'white man's negro.' He is obedient, subservient and humbly thankful for the smallest attention or favor."

The interview closed, the reporter said "Goodbye Hays."

Good-bye boss." And a minute later after he had reached for the broom with which he had been working "Boss—" The old stammer came back. He tried to speak and failed. For a full minute his lips framed the word he could not utter.

"Boss, if yo' can, do something for me, please sir." And Hays returned to his work.

JAN 9 1927

Twenty Additional

RECORD FOR TERM SHOWS NO VIOLENCE RECORDED IN STATE

Free From Lynchings; Also Recommends Change in Liquor Transportation Law to Governor Brandon

Not a single lynching has taken place in Alabama during the administration of Governor W. W. Brandon. There have been no mobs, no strikes, and harmony has prevailed between labor and capital.

These facts are given particular emphasis in a report just submitted by Chief Walter K. McAdory, of the state law enforcement department, to Governor Brandon. In citing this record, Mr. McAdory, in his letter transmitting the report of the department to the governor, says he is proud of them "more than any other" facts with which the report deals. The period which the report covers is from January 1, 1923, to December 31, 1926, inclusive.

Chief McAdory recommends that there be added to the state law enforcement department, at least 20 additional officers; 10 officers added to the regular force and 10 motorcycle officers to be assigned to duty on the state highways. He also recommends that provision be made by the legislature to provide funds for enforcement of the traffic laws on the state highways.

It is further recommended that the statute relative to transporting liquor be amended so as to make it a felony to transport five gallons or more of liquor. That a law be enacted providing that a certain percentage of fines assessed and collected by the several courts of the state against persons arrested by the state law enforcement department, be paid into the state treasury of Alabama, the fund to be used exclusively for the enforcement of all laws by and under the direction and discretion of the governor.

During the period of time that the

report covers, it is shown that cash fines assessed as the result of the activities of the department totalled \$616,318.83, expenses of the department for the same period totalling \$276,425.89.

Within this same period, the state officers destroyed 7,546 stills, 4,789,322 gallons of beer, 54,754 gallons of whiskey, 4,875 gallons of wine, 24,193 bottles of home-brew, and 15 cases of alcohol. A total of 12,126 arrests were made; 1,809 for distilling, 359 for possessing a distillery, 6,192 for violation of the prohibition law, and 3,766 for miscellaneous offenses. Property confiscated included 524 automobiles, two launches, a houseboat, 11 trucks, 18 horses, 41 mules, 25 wagons and 19 buggies.

In disposition of cases resulting from the work of the department, there were 8,009 convictions, 443 acquittals, 531 cases nolle prossed, 13 abated by death, one abated by insanity. Cases pending totalled 3,129. In cases where convictions resulted, 986 sentences were imposed, ranging from 30 days to life imprisonment.

The impression prevails in the minds of a great many over the state, Chief McAdory says in his letter transmitting the report to the governor, that the law enforcement department was created primarily for the enforcement of the prohibition law. This, he says, was the case in 1920, but that the statute has been amended so as to include all violations of the laws, "from murder to gaming."

"We are called upon to make investigations for the governor," attorney general, convict department, forestry department, and other departments," he states. "It is also the duty of the department to investigate the workings of labor agents in the state, and to see that the pool rooms do not violate any of the laws pertaining thereto, and to investigate the conduct of all paroled convicts."

In citing the peaceable and harmonious relations between labor and capital in Alabama, during the past four years, Chief McAdory expresses the earnest hope that the same conditions will exist during the next four years. "During the past four years," Chief McAdory says, "I have seen a marked improvement in the convictions by the juries in the several counties in the state. After all, it is not so much the

slogan, 'law enforcement,' as it should be, 'law observance.' During your administration I have had the hearty cooperation of the attorney general, the judges and solicitors of the several courts of the state, and practically all of the sheriffs of the state, the federal judges, United States attorneys, United States marshals, the federal prohibi-

tion administrator of Alabama, and his entire force of prohibition agents."

Closing his letter, Chief McAdory adds: "In conclusion, I beg to state that my entire force desires to express to you, both personally and officially, their hearty appreciation for your cooperation, kindness, understanding and good will."

Following are the recommendations by Chief McAdory, which accompanied his report to Governor Brandon:

1. The statute relative to injunctions and liquor nuisances should be amended to meet the decisions of the higher courts.

2. The statute relative to the seizure, condemnation and sale of automobiles transporting liquor should be amended to meet the decisions of the higher courts.

3. The statute relative to second offenses for violation of the prohibition law should be amended so as to authorize the magistrate issuing the warrant of arrest, or the solicitor in drawing the indictment, to allege in the warrant or indictment that it is the second offense, to meet the decisions of the higher courts.

4. The statute relative to transporting liquor should be amended so as to make it a felony to transport five gallons or more of liquor.

5. I recommend that some provision be made by the legislature to provide funds for the enforcement of the traffic laws on the highways of the state, viz: reckless driving, persons driving or riding on the highways of the state while intoxicated, and the overloading of vehicles, etc.

6. I recommend that the legislature pass a law that a certain per cent of the fines assessed and collected by the several courts of the state against all persons arrested by the state law enforcement department, be paid into the state treasury of Alabama, said fund to be used exclusively for the enforcement of all laws, by and under the discretion of the governor of Alabama. If the legislature will pass such a law, it will not be necessary, in my judgment, to make an additional appropriation from the general funds of the state treasury for the department.

7. The law at present provides that all fines assessed and collected by the several courts of the state be paid into the county treasuries of the state and the state does not receive any benefit therefrom. This, in my opinion, is not right or just.

8. In my judgment there should be added to this department at least twenty additional officers, this addition to take care of ten officers added to the regular force, and ten motorcycle scouts on the highways.

9. You will observe in my report, that during the four years there has been approximately eight hundred persons sent to the penitentiary, ranging from a year and a day to life imprisonment, for which the law enforcement department does not receive any credit in a financial way from the income derived from the labor of said convicts.

NEGRO IS CONVICTED OF DOUBLE MURDER IN JUST 5 MINUTES

Jury Sends Slayer of A. B.

Moore and Mrs. Ruby Thornton To Electric Chair in Recordbreaking Time

GUILT ADMISSION BRINGS TRIAL TO SUDDEN CLOSE

Plea of Defense Attorney to Spare Life and Profit by Labor Proves Futile

By HUGH SPARROW

BIRMINGHAM, ALA., Feb. 21.—It took a jury in Judge H. P. Heflin's division of the criminal court only five minutes Monday afternoon to return a verdict of guilty of murder against Horace Devaughn, negro, who confessed to the roadside slaying of A. B. Moore, Southern railway safety supervisor, and Mrs. Ruby Thornton, and to fix his punishment at death in the electric chair.

The trial which was brought to a climax suddenly by the admission of guilt by DeVaughn, from the witness stand, lasted only four hours and twenty minutes. DeVaughn admitted slaying the couple on the lonely "Red Mill Road," and his only effort at defense was the assertion that he was frightened when Moore leaped out of the car as he approached the scene. He fired first on Moore and later on his companion, the negro said.

The verdict was returned after Solicitor Jim Davis had pleaded for half an hour that DeVaughn be sent to the chair, the quicker the better. Although DeVaughn will not be sentenced until later in the week, the jury's verdict automatically fixes his penalty at death in the newly installed electric chair at Kilby prison. He is the first person in the state to be convicted of a capital offense since the electrocution law became operative.

Only eight witnesses were used by the state, while DeVaughn's testimony was the only evidence offered by the defendant.

Charles B. Marsh, Mrs. Dave Howard, sister of Mrs. Thornton, City

Detectives I. A. Riley and Homer Jones, Chief Fred H. McDuff, will Wallace, negro, Latham DeVaughn, the defendant's brother, David Binlon, negro Superintendent Shannon of Stockham Pipe and Fitting company, and C. Chadwell rounded out the state's case against DeVaughn and substantiated the charge that Mrs. Thornton and Moore were surprised while parked on the road, about 9 p. m. January 19, 1927, who shot them merely for the purpose of robbing Moore. The robbery, the state claims, netted DeVaughn only a negligible sum.

Arguments in the case were completed at 6 p. m. and Judge Heflin delivered a brief charge, reciting the law governing the case. At 6:14 the jury was released and five minutes later a knock from the jury room indicated that a verdict had been reached in what is considered record time for a capital case.

Karl Platowsky, foreman of the jury, handed in the written verdict, but because the document had not followed the usual style, the jury was released once more to rewrite the verdict after Judge Heflin had dictated the phraseology.

Attorney Harold Price, appointed by the court to represent DeVaughn, pleaded that the jury "put him in the penitentiary where he can be of some good to the commonwealth."

Subsequently, in referring to this phase of the defense argument, Solicitor Davis concluded as follows:

"Mr. Price says to put this defendant in harness and make him work. Yes, we should put him in harness, shave his head, put a cap on his head, slit his trousers to the knee and his shirt sleeve, then put him in harness, step back a few feet and press a button."

NEGROES ADMIT SHOOTING

Birmingham Blacks Confess Crime After 15 Hours' Grilling

BIRMINGHAM, ALA., Feb. 13.—(AP)—After more than 15 hours of questioning, two negroes, Oscar Lockett and Clint Mays, early today confessed to the fatal shooting of City Police Officer Ray Payne Saturday morning in a street fight. Both suspects admitted firing the police man. Detectives announced tonight after completing the inquiry.

CONVICT LEASING ABOLISHED BY BILL

The only question about convict leasing in Alabama now seems to be whether it will be ended in December, 1927, or August, 1928.

Considering that some preparations must be made to make the change successfully effective, there is not enough difference to quibble about. The principle has been won through a hard fight put up by the people, and, with the end in sight, it is only reasonable to appreciate that a big job cannot be well done without sufficient time to do it. Alabama is among the last of the States to abolish this relic of barbarism and the change is certain to create a distinct feeling of pride in all of those who are zealous for the state's reputation. The transfer of convict labor to the county roads will insure better upkeep of the highways and thereby add value to rural lands. Some provision for safe-keeping must be made and some general system to insure uniform operations over the state must be worked out. This will take some experiment and it cannot be worked out in a month nor a few months. The state is making progress along all lines and this is one of the best indications of it.

ALABAMA WOMEN FIGHT LEASING OF CONVICTS

Preston News Service

MONTGOMERY, Ala., Feb. 16—A resolution approving the removal of state convicts from mines and looking to the House and Senate conference committee for wise action to terminate the convict leasing system as applied to county convicts at such time as will be best for the interests of the state, was adopted Thursday afternoon by the legislative council of Alabama women's (white) clubs, composed of fourteen women's organizations from all parts of the state. The women vigorously condemned the convict leasing system and pointed out the numerous evils recently disclosed in various investigations.

2,709 PERSONS ARRESTED

More Whites Than Negroes Faced Court At Anniston In 1926

ANNISTON, Ala., Jan. 4.—Anniston policemen made 2,709 arrests during 1926, according to City Hall statistics. Of this number 1,566 were whites and 1,143 were negroes.

Of the whites arrested 1,450 were men and 116 were women. Cases docketed against negroes included 997 men and 146 women.

The largest number of cases docketed was in May when 329 names were entered on the blotter. December found the city on its best behavior when only 142 cases were entered for trial.

Officers estimated that approximately one-third of the cases docketed were for violation of the traffic laws and one-fourth of the cases were against negroes for larceny.

MEASURE TO BANISH CONVICT LEASING IS READ IN SENATE

Would Prohibit Leasing in State and County; Bill To Insure Full School Term is Introduced

BY HUGH SPARROW

Leasing of convicts, both state and county, to coal mining companies will become a felony after December 31, 1927, according to the provisions of a bill sponsored by Lieut. Gov.-elect W. C. Davis, which was introduced in the senate Tuesday by Senator Oliver E. Young of Vernon.

The convict lease was one of 32 measures offered by members of the upper house on the first legislative day of the regular session. Among the other bills submitted, the measures by Senator Mitchell, appropriating \$600,000 for the state board of education to insure a seven months school term, and authorizing the immediate release of \$5,000,000 additional proceeds of the Mobile port amendment bonds for further work on the harbor at Mobile, were held to be of vital importance.

The convict lease bill was introduced after Mr. Davis had conferred with Gov.-elect Graves. It provides that after December 31, 1927, it shall be unlawful to work any convict, state or county, in any coal mine in the state and that after March 31, it shall be unlawful to hire or lease for any purpose any convict, state or county.

Section 3 provides:

"That any person, firm or corporation violating any of the provisions of this act shall be, for each violation, guilty of a felony and be punished by imprisonment in the penitentiary for not less than one nor more than ten years."

Is Companion Bill

Simultaneously with the introduction of the anti-lease bill Lieut. Gov.-elect Davis announced this was one of two companion bills to be introduced upon his request. The second bill will provide that the state board of control, subject to the limitations of the bill, will have sole authority as to the working, control and general management of all convicts, both county and state.

In addition to the port of Mobile and the public school appropriation bill, Senator Mitchell offered a third bill, proposing an amendment to section 8714 of the civil code of Alabama.

Eight bills were introduced by Senator James, one of which provided for the election of a county superintendent of education for Cullman and Winston counties. Other James' bills sought the repeal of section 2949 of the code of 1923, and of sections 130 and 144 of the school code, and provided for amendments to sections 92 and 107 of the school code and section 2948 of the 1923 code.

Seeks to Amend Sections

Senator Edgar introduced a bill to amend sections 856 and 872 of the code and to repeal section 871.

Two bills introduced by Senator Oliver, provided for appropriations for the repairing of building and equipment of the Alabama schools for the deaf and blind at Talladega.

Sections 1033-1041 of chapter 30 of the code of 1923, relating to the geographical survey will be amended, according to proposals of a bill by Senator Warren.

Senator Fite of Jefferson introduced a bill regulating the hours in which the circuit court of Jefferson county may convene. According to this bill, the hours are from 9:30 a. m. until 12, and from 2 to 5, on week days and from 10:30 to 1 on Saturdays. Senator Fite submitted a measure, providing relief for the blind, and another amending section 7287 of the code of Alabama.

Other bills by Senator Fite provided for the employment of additional clerks by the legislature, the regulation of answers to garnishments in justice courts and inferior courts in Jefferson county, an amendment to sections 1545 and 1547 of the code, limiting the time a judgment rendered in a court of Alabama, not a court of record, shall be a lien on property, and for an amendment to section one of the act providing for the election of solicitors.

Stanley Offers Two Bills

Senator Stanley offered two bills amending sections 2975 and 2981 of the code of 1923.

A bill by Senator Stokes provides for the repeal of the act levying a license or privilege tax on deeds. Three bills were offered by Senator Teasley, the first of which amends section 1530 of the 1923 code. The second provides an appropriation for repairing the capitol and the third proposes the regulation of insurance agents.

Senator Craft offered a bill creating the office of state highway officer, and Senator Williams introduced a bill to amend section 906 of the code. Organization of the senate was accomplished without difficulty. Officers elected at the beginning of the special session were returned Tuesday, without discussion, while the same appointments for committees remained unchanged.

WOMAN'S SCREAMS SAVE HER FROM NEGRO BANDITS

Attempted Robbery of Miss Blanche Hall is Thwarted

An attempted robbery was thwarted late last night when Miss Blanche Hall, 603 Emerson street, screamed as two negro men seized her as she walked toward her home, according to a report made at police headquarters. Neighbors answered her call by opening doors and windows, it was said. The two negroes, becoming frightened, fled the scene.

Bachelor's Hearing In Supreme Court Is Set For April 14

Appeal in the case of Clyde Reese Bachelor, convicted in Elmore county of the murder of his father-in-law, Judge Lamar Smith, and sentenced to death will probably be finally admitted to the Alabama Supreme Court on Thursday, April 14. Call of the docket for the fifth division in which are included appeals cases from the county of Elmore, will be taken up by the supreme court Monday, April 11. Criminal appeal cases in this division are set for hearing on the following Thursday.

Bachelor who was a prisoner at the Montgomery county jail for several months, is now confined in the Jefferson county jail in Birmingham, where he was transferred for safe-keeping. Hays Leonard, negro farm hand, who claims that Bachelor compelled him to fire the shot that ended Judge Smith's life, and who was likewise convicted and sentenced to pay the death penalty, also has an appeal pending. It is probable that his appeal and Bachelor's will be submitted to the high court on the same day. Leonard is now confined in the Montgomery county jail.

AUTAUGA NEGRO MUST DIE IN CHAIR

Case of Sam Hall, Who Killed Wife, is Affirmed by Supreme Court

A death sentence given Sam Hall, negro wife slayer, by the circuit court of Autauga county, was affirmed by the supreme court of Alabama Thursday.

The case was remanded to the lower court to sentence the negro to die in the electric chair at Kilby prison instead of by hanging, as was prescribed by law at the time the case was tried. Hall admitted on the witness stand that he killed his wife. He maintained however, that the blow which killed her, struck with an iron pipe, was self defense as she advanced on him with a drawn knife.

It was testified however that he threw her inert body into a creek where it was later found while she was yet living.

HEARING TODAY ON BACHELOR'S PLEA

Case Will Be Submitted to Supreme Court; To Hear Leonard's Claim

Appeals of Clyde Reese Bachelor, young Elmore county planter, and Hays Leonard, negro farm hand, convicted of the murder of Judge Lamar Smith, father-in-law of Bachelor, will be finally submitted to the Alabama supreme court, in the supreme court chamber at the capitol this morning, shortly after 10 o'clock.

The murder of Judge Smith shocked the entire state. Subsequent arrest, trial and conviction of Bachelor and the negro farm-hand, Leonard, created the most profound interest in every section of Alabama. In the course of the trials, Leonard claimed that in firing the shot which ended Judge Smith's life, he was forced to do so by Bachelor, his employer.

An insanity plea was entered on Bachelor's behalf, in the trial court, but without avail. Both he and Leonard were found guilty of murder in the first degree and sentenced to death.

DEVAUGHN TO DIE IN CHAIR TONIGHT

Alabama's First Electrocuting
Will Take Place Between Mid-
night and Dawn

Horace DeVaughn, Birmingham negro, will die in the electric chair sometime between midnight and dawn Friday for the murder of Mrs. Ruby Thornton and A. B. Moore near Birmingham early this year. Only prison officials, physicians and a few newspapermen will be permitted to witness the execution. Everything is in readiness, Warden J. Shirley announced Wednesday. The electrocution will be the first in Alabama history.

NEGRO CONVICTS TO QUIT BANNER MINE

Half Will Go To State Prisons;
Half to Work at Flat
Top and Aldrich

Three hundred and twenty-five state convicts, all negroes, will be removed from Banner mines on Thursday, March 31, when the present contract between the state and the operators of the mines at Banner expires, according to announcement Monday by Charles A. Moffett, president of the state board of administration. The board of administration and the mine operators, it is understood could not agree on terms for renewal for a further period of time of the contract under which state prisoners are now employed in the coal mines at Banner.

The convicts who will be removed from Banner, Thursday, will be distributed to the mines at Aldrich and Flat Top where some state prisoners are still employed likewise to the prisons at Kilby and Speigner, Mr. Moffett said. About half of the men will be transferred to the state prisons the remaining half to be put to work at Flat Top and Aldrich, until other employment can be found for them by the state.

Stating that there are still 23 white state prisoners employed at coal mining work, Mr. Moffett said that these men will be out of the mines and engaged in other state employment by Friday of this week.

HORACE DE VAUGHN PAYS WITH LIFE FOR DUAL MURDER

Negro Dies in Electric Chair
Shortly After Midnight For
Slaying Couple Near
Birmingham

ELECTROCUTION MARKS
FIRST IN ALABAMA

Goes to Doom Quietly and in
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Exaltation

In the electric chair at Kilby prison early this morning, Horace DeVaughn, negro, paid with his life for the murder in Jefferson county, of A. B. Moore and Mrs. Ruby Thornton. He went to his death gamely with the name of his maker on his lips and resigned to his fate. The electrocution was the first in the history of Alabama.

The current was turned into the death chair at 12:30 o'clock. At 12:42 a. m., Dr. R. A. Burns, physician-inspector of state prisons, and Dr. J. F. Sewell, resident physician at Wetumpka penitentiary, declared him dead.

Though the condemned man was unconscious from the time the electricity first entered his body, it was necessary to send a current of 2,000 volts through the chair three times to render him absolutely lifeless. Physicians accounted for this by the fact that DeVaughn was a man of powerful build and physique, and of tremendous physical strength, making his resistance far greater than that of the average person.

Dr. Sewell, who stated he had attended five executions in electric chairs in other states, said that the execution of DeVaughn was one of the best conducted he has ever witnessed.

Attended By Ministers

DeVaughn was attended during his last moments by three negro ministers—Dr. G. W. Williams and Dr. F. W. Jacobs, both of Montgomery, and Reverend Jim Pearson, of Birmingham. Reverend Mack Brassell, chaplain of state prisons, was present in the death chamber when the execution took place.

After a hymn had been sung by the prisoner and the ministers of his own race, who reached the execution chamber at 12:15 o'clock, he and his spiritual advisers knelt and a prayer was said. DeVaughn was then asked if he had any statement or confession to make. He replied in a steady, quiet and respectful tone: "No sir, I haven't." He was then told to get into the chair, and did so unassisted.

The work of drawing tight the straps was quickly completed. A signal was flashed to an inner room where the electrical apparatus is located. The electric switch there snapped shut.

The condemned man died murmuring a prayer for forgiveness. The three currents, two of 40 seconds duration each, and the last of 30 seconds, were given in quick succession.

Those present at the execution included Charles A. Moffett, president, and Hamp Draper, associate member of the state board of administration; Warden T. J. Shirley, attending prison guards, newspaper men, and George Moore, brother of the late A. B. Moore. Early in the day DeVaughn was told the brother of the man killed had come all the way from Kansas to witness the execution. He personally asked Warden Shirley, it is stated, to permit Mr. Moore to be a witness, stating he was sorry for what he had done.

Throughout the execution, the prison was wrapped in absolute silence. Apparently all other prisoners were asleep.

DeVaughn was convicted in the circuit court of Jefferson county on charges of first degree murder in connection with the death of A. B. Moore and Mrs. Ruby Thornton, on a lonely road near Birmingham. After his arrest he confessed that he shot Moore and robbed him. The woman was killed by him as she ran away. He feared that she would tell on him.

At his trial the jury was out for only an hour. They returned a verdict of guilty and fixed the punishment at death.

DeVaughn has been with religious advisers constantly. Thursday he said he was ready to go.

No appeal was taken by DeVaughn after his conviction in the circuit court of Jefferson county. No executive clemency was asked.

Governor Bibb Graves, however, acting on his own initiative, obtained the record of the case and thoroughly examined it. After a visit to Kilby prison, the governor announced that in his opinion, the sentence was fairly and justly meted to DeVaughn and would be allowed to stand.

DeVaughn, at his request, was visited in his cell by Virgil Murphy, condemned to die in the chair on April 23. Murphy's case comes before the pardon board on April 15. In that fact he finds hope that the sentence upon him will be commuted to life imprisonment.

Together, the negro who waited death that night and the white man over whom the shadow of the chair hung heavily, knelt and prayed.

Murphy, later in the day, expressed his steadfast faith that he would be extended executive clemency. The present execution, he said, was bringing the seriousness of his situation before him. He visited the cell of DeVaughn was an order to him. In the afternoon, however, he had recovered his spirits.

Murphy Prays for Negro

"Tonight," he said, "when he goes to the chair, I shall pray for him." Murphy's cell is in another wing of the prison from the death cell. He cannot see the entrance to it nor hear the ordinary noise made in that part of the prison.

When Kilby penitentiary was designed the eventual installation of an electric chair within its walls was anticipated. In a wing of the building—it is the second wing on the right of the hall which leads through the center of the big structure—provision was made for the eventual construction of a group of death cells.

The wing is two stories in height. For about half of its length, on that end nearest to the center hall, a cell-lined balcony circles the walls. The other half, reached by stairs from the center of the hall, is floored, the arrangement being similar to the mezzanine floor in many hotels.

In the cream-colored wall at the end of this second story floor, immediately opposite the stairs which lead to it, is a green steel door. That door leads to the death cells.

Beyond it is a long hall. Three cells are on the right. Three are on the left. Those on the left, at this time, are still used for the purposes to which they were put until the installation of the electric chair. They are "dog houses"—places of solitary confinement for unruly prisoners. Some day, perhaps, they will be used for the confinement of condemned men awaiting their turn in the chair.

The electric chair is in the last cell on the right. Painted ivory white, with adjustable back and head rest, and surrounded by a complicated arrangement of straps and wires, it is strangely like a dentist's chair.

At the east end of the cell, which is about 12 by 15 feet in size, a railed-off section, about four feet deep, entered through a door from another corridor, provides space for spectators.

The chair, facing them, is in the center of the remaining portion of the floor. It rests on four heavy insulators, which in turn rest upon a heavy rubber mat.

On the chair are a number of straps. They go about the fore leg, the knees, waist, chest, arms and head of the condemned man.

Ironically, the strap intended to secure the waist of the prisoner was originally designed, and in fact was used, for the safety belt on an aeroplane.

There are two points of electrical contact with the body of the victim. One, through the head, is made by means of a plate which touches a water-soaked sponge upon his head. The other is a cuff-like band of metal for his ankles. Wires lead to them from the wall behind the chair.

The second cell from the hallway is filled with the necessary machinery and electrical equipment. There are motors, coils and transformers; on a switchboard a plunger and a number of dials.

The throwing of a switch sets a motor in operation. When the plunger is pulled the mechanism becomes automatic. A current of 300 volts, sufficient to render the victim unconscious, is first introduced. Automatically it is cut off and an increasing current, which climbs to over 2,000 volts, a killing charge, is automatically cut in.

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Alabama justice has been carried into execution in as quick, painless and clean a manner as science has been able to devise. The new execution laws of Alabama, under which the equipment at Kilby prison was built, have rendered obsolete all gallows in the state. Until now all executions have taken place in the different county seats, and have been carried out with equipment more or less satisfactory.

Crime-1927

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INTERRACIAL COOPERATIVE THIEVES JAILED

Associated Negro Press

BIRMINGHAM, Ala., Mar. 9.—Following in the wake of the recent meeting of the State Interracial Commission, during which Negroes and whites were urged to cooperate with each other and to seek a better understanding of each other's problems, Frank Martin, a Negro, and L. E. Jenkins, a white man, were arrested on a charge of *stealing* and selling automobile tires. Whether the two alleged thieves were trying out the "interracial cooperative plan" is not known, but according to officers they were doing a profitable and thriving business.

FATE OF BACHELOR PLACED IN HANDS OF SUPREME COURT

Attorneys Attack Statement of
Tate Regarding Defendant's
Actions; Appeal Submitted
For Hayes Leonard

Fate of Clyde Reese Bachelor young Elmore county planter, and Hayes Leonard, negro farm-hand, both of whom were convicted of the murder of Judge Lamar Smith, of Wetumpka, and sentenced to death—now rests with the supreme court of Alabama. Appeals taken from judgment of the trial court in each case, were finally submitted to the supreme court of the state, Thursday.

Bachelor's appeal was submitted on oral argument by defense counsel also on briefs. Motion was made by the state to dismiss the appeal of Leonard, but this motion was later withdrawn pending disposal by the court of the Bachelor case, continuance therefore being ordered in the case of Leonard.

Bachelor's father, mother and youngest sister were present in the supreme court chamber while his appeal was being presented. George Smith, son of the slain judge was also present. Mrs. Clyde Reese Bachelor, was not present however, nor was Mrs. Smith, widow of the deceased, among those in attendance.

Bachelor's Father-in-Law

Judge Smith was Bachelor's father-in-law. The negro, Leonard, on trial, and in a confession made prior to his trial, admitted firing the charge of buck-shot that ended Judge Smith's life, but maintained that he was compelled to do so by Bachelor, who stood near by.

The opening argument on Bachelor's

behalf was made before the supreme court, Thursday, by Marion Rushton, counsel for the defendant, who alleged various errors by the trial court in the admission of testimony, refusal of certain charges to the jury, and alleged failure of the trial court to properly rebuke state's counsel. Mr. Rushton argued that error was committed by the lower court in admitting testimony by Sheriff Hasty Golden, witness for the state, to the effect that Bachelor was present in the Montgomery county jail when Leonard, the negro, was making that part of his confession tending to show existence of a conspiracy against Judge Smith's life. Counsel maintained that Bachelor was not present during this part of the confession.

He referred to testimony by the sheriff that Bachelor was asked if he wished to hear what Leonard had to say, and that Bachelor had replied he did not care to argue with the negro—and claimed that the admission of this testimony was error, maintaining that what Bachelor was quoted as having said was neither a confession nor an inculpatory admission.

Tate's Statement Attacked

The main ground of error in the lower court, insisted upon by Mr. Rushton, was the alleged statement of F. Lloyd Tate, special prosecutor for the state in addressing the jury that he had been watching Bachelor during the whole trial and that he, Bachelor, had not shed a tear. Although the court admonished the jury that any statement as to the conduct of the defendant during the trial should not be considered in arriving at a verdict, Mr. Rushton argued that the effect on the jury of the remark referred to, was prejudicial to the defendant. Doctors had testified, Mr. Rushton said, that Bachelor was subject to nervous breakdowns and wept on such occasions. The prosecutor, it was argued, was "testifying" as to

the defendant's conduct during the whole trial. It was maintained that although the presiding judge excluded the statement, he did not warn the prosecutor, Mr. Tate.

Alleged statement by J. M. Holley, another special prosecutor for the state as to Leopold and Loeb being tried in Chicago, in a similar case, was strenuously objected to by Mr. Rushton who said that this statement injected an outside issue into the trial, and one that was calculated to create race prejudice. He also claimed that Mr. Holley in his address to the jury, gave "testimony" in the form of a prediction that if Bachelor who pled not guilty by reason of insanity, were sent to the hospital for the insane, at Tuscaloosa, that he would "be back here again in a few years." Another ground of error insisted on by Mr. Rushton was the alleged statement by Mr. Holley that never in his experience had he seen a case in which such flimsy evidence of insanity was introduced. He said this alleged statement was an expression of Mr. Holley's personal opinion and should have been excluded.

Knight Argues For State.

Assistant Attorney General Thomas E. Knight, Jr., presented the argument for the state. He stated there is nothing in the record in the case to show positively that Bachelor was not present throughout the entire confession made by Hayes Leonard, negro, in the Montgomery county jail. Leonard took the stand during his trial, he said, and testified to substantially the same alleged facts as to the existence of a conspiracy, as were contained in that part of the confession which was testified to by the sheriff, and to which the defense objected. In any event, Mr. Knight declared, no injury was done to the defendant by admission of the testimony which the defense claimed was error, as it was not shown that it influenced the jury. Regarding the reference to the Leopold and Loeb case, the assistant attorney general stated that objection by the defense, to this reference was sustained by the trial judge and the statement excluded from the jury.

Mr. Knight argued there was no impropriety in Mr. Holley's alleged remarks to the effect that if Bachelor was sent to an insane asylum he would be back in a few years, also as to the "flimsy" evidence of insanity; that the court sustained objections to both these references. The assistant attorney general declared that the record in the case disclosed one of the most horrible crimes ever committed. He said that the evidence disclosed only two occasions when Bachelor is said to have cried. There was no evidence, he maintained, but would justify an affirmative charge for the state. He argued that not a single substantial right of Bachelor had been affected.

Regarding the alleged remark of Mr. Tate, cited by defense counsel, Mr. Knight said he believed the jury had already noted the absence of tears on the part of Bachelor before Mr. Tate's remark was made. He insisted that any legitimate comment on the defendant's appearance does not put a trial court in error, and declared that the remark credited to Mr. Tate, did not affect the verdict of the jury.

Ray Rushton, father and law partner of Marion Rushton, and also counsel for the defense, maintained that the alleged statement of Mr. Tate, one of the prosecuting attorneys, regarding Bachelor not having shed a tear during the trial, was decidedly prejudicial to the defendant. Bachelor, he said had a right to trial before an unprejudiced jury and that the question before the jury was whether Bachelor was of weak mental capacity, and should be given the extreme penalty or life imprisonment.

AS WE EXPECTED

Some time ago when the horrible treatment of convict miners in Alabama was exposed, a wave of indignation swept over the country and there was a loud clamor for reform, even from within Alabama. There was talk of prosecuting some of the mine guards and officials but nothing has been heard of that. The fact that some of the miners were white convicts was largely responsible for the clamor because the whipping and torture of Negroes is such a common occurrence that there is little attention given to it. Yet, there were some who expected the entire system of convict mining to be discontinued after the exposure. They were very innocent, those folks.

What has actually happened is the withdrawal of the white convicts from the mines back to the prisons, while the black convicts still remain toiling in the bowels of the earth, poorly fed and unmercifully beaten, until they drop dead or are removed to the hospital. Such treatment could be labeled brutal, but such a characterization would be a libel on the brutes. Now that the white convicts are out of the mines, the clamor against the system is conspicuous by its absence. If reports are untrue then an investigation is in order to determine the real truth.

Waited With Reprieve; Negro Did Not Know It

How Governor Thomas Goode Jones, who was the chief executive of Alabama for four years, 1890-1894, decided whether to commute the sentence of a condemned murderer was related yesterday by an old citizen of Montgomery.

A negro in Montgomery had been sentenced to hang on circumstantial evidence. About half the town were of the decided opinion that he was guilty and that the sentence of the law should be carried out. The other half of the town were decidedly of the opinion that the negro was innocent and should be commuted, to at least life imprisonment.

Appeal was made to Governor Jones. The Governor read the record in the case, listened to delegations and finally came to the conclusion that the negro should be hung. However, he had some doubts.

So the day the negro was to be hung, Governor Jones sent one of his secretaries to the county jail with a 30-day reprieve for the negro.

"Get in touch with the sheriff," said the Governor. "Tell him you have the reprieve in your pocket. If the negro on the gallows admits his guilt, let him hang. If he denies it to the last, hand the sheriff the reprieve, and I'll investigate further."

The Governor's secretary waited near the gallows with the reprieve in his pocket. The negro murderer mounted the gallows and confessed his guilt, not denying anything. And the reprieve never got out of the Governor's secretary's pocket. It was torn up after the hanging.

BACHELOR CHUCKLES MIRTHLESSLY WHEN TOLD HE MUST DIE

JURIST'S SLAYER IS STILL HOPEFUL; HELD IN DEATH CELL

'Just What I Expected,' He Remarks When Informed of Supreme Court Decision
Thursday

BIRMINGHAM, ALA., May 5.—Special to The Advertiser.—Hope still lingers in the heart of Clyde Reese Bachelor, Wetumpka young man, although the supreme court of Alabama has ruled that he must die for the murder of his father-in-law, Judge Lamar Smith.

The news that the supreme court had upheld the death sentence was broken to Bachelor this afternoon by a newspaperman. It was only what he expected, the prisoner said, adding that he might appeal still to the governor for clemency.

At first Bachelor refused to see the representative of the Birmingham News, saying he did not want to talk to any newspaperman. But when he was informed that the reporter had news from the supreme court, he consented to talk.

"Well, Clyde," he was told by the newspaperman, "I have bad news for you. The supreme court upheld your sentence."

"Ye-eh," the prisoner drawled, without the flicker of an eye-lash, and his voice remaining unchanged. "That's just what I expected. Well, maybe things will work out all right still."

"What are you going to do now?" "I'll have to think over that. I have plenty of time for thinking now, you know," and he laughed mirthlessly.

Bachelor was well dressed and neat. The jailor says he remains always so. He reads almost constantly, his favorite magazines being the Literary Digest and the American Legion Weekly. A college man, he also calls occasionally for standard classical fiction.

SHERIFF SHOTS NEGRO

Chism Corr Fired on While Resisting Arrest

OPELIKA, ALA., May 2.—Special to The Advertiser.—Chism Corr, negro, who was shot by Sheriff Betts yesterday while resisting arrest is in jail here in a serious condition.

Corr, while under the influence of liquor, terrorized the neighborhood of Bethel Church seven miles east of the city and broke up a meeting when officers were called. When arrested, he drew a gun on Sheriff Betts who fired first. One eye was shot out and although he is in bad shape he is expected to live.

Receives Sentence Unmoved But Spirit Breaks Later; Begs to See His Three-Year-Old Son

A double execution will be conducted at Kilby prison on the morning of July 15 unless executive clemency intervenes. Judge George F. Smoot, after sentencing Clyde Reese Bachelor to death on that date, went to Prattville, where he sentenced Sam Hall, negro, to electrocution on the same morning. Hall was convicted of the murder of his wife. His case, which had been remanded for resentence by the supreme court in a manner similar to Bachelor's had been held pending the ultimate decision of the question.

Bachelor was sentenced to the chair for the murder of his father-in-law, Judge Lamar Smith in Wetumpka, August 30.

From a death cell at Kilby prison, where he was taken after sentence had been passed by Judge George F. Smoot of Elmore circuit court, Bachelor peeped through a heavy screen network over his cell door and talked to a group of newspaper men.

"Although I do not know just what steps the lawyers will take, whether or not they will appeal to the United States Supreme Court, I am still hopeful," said Bachelor.

Upon mention of his three-year-old son, whom he had not seen since his incarceration, his voice faltered and he continued, "Yes, I'd give my right arm to see him. In fact, nothing else matters now except that." Bachelor has not seen his wife nor his son since his trial last September, when he was first given the death sentence.

Cell Is Like Palace

When asked how he liked Kilby prison in comparison to the one in Birmingham, he stated, "This place is a palace in comparison to that." Bachelor also said that he slept fairly well but that the confinement for so long a time was causing him not to sleep so soundly. Although Bachelor has lost considerable weight in the last few months he still appears to be in good health.

Bachelor is now a member of the Baptist church of Wetumpka, he states having joined there when a boy of 11 years. He talks freely of religious matters and expresses confidence in having his relations along this line desirably settled. He added that he had been privileged, while in the Birmingham prison, to attend religious services when he enjoyed. Several

Baptist ministers, according to Bachelor's statement, called on him while at Birmingham in addition to other persons coming from time to time to talk with him about things of a religious nature.

According to Deputy Warden G. E. Johnson, Bachelor's spirit has greatly broken since the receiving of the death sentence this morning.

Bachelor was resented at 10 o'clock.

A crowd, constantly growing as word passed that Bachelor was being resented, filled the court room.

Appears Calm

Bachelor appeared calm throughout the proceedings in the court room. Attired in a light brown suit, blue shirt and dark necktie, he idly toyed with his hat while Ray Rushton, chief defense attorney, argued before the court that it was without jurisdiction to modify the previous sentence of death by hanging. His father, Henry Bachelor, and his brother, Emmet Bachelor, sat at his side.

As sentence was being pronounced, Bachelor stood in a careless attitude. His eyes wandered from the face of the judge whose lips were framing the words of the death sentence to the hand of a court reporter who was taking short-hand notes of the sentence.

At the concluding words of the sentence, "And may the Lord have mercy upon your soul," a muscle in his left cheek trembled slightly.

Mr. Rushton gave notice of appeal immediately after sentence was pronounced. His request that sentence be suspended pending hearing of the appeal was denied, Judge Smoot ruling that no appeal could be taken from the sentence, which was purely ministerial and not judicial in its character.

Bachelor was taken at once to Kilby prison, where later he was placed in a death cell.

Immediately after court convened at 9 o'clock, Ray Rushton filed a motion in arrest of judgment. He based his motion upon the same grounds upon which the two applications for a re-

hearing filed with the supreme court had been based, namely, that the lower court was without jurisdiction to modify its previous sentence and had no authority no other than to set a new date on which the former sentence should be carried out in the manner prescribed by it; and that Bachelor, having been sentenced to be hanged could not be legally electrocuted as the electrocution statute lacks a saving clause by which he could be resented.

Overrules Motion

Judge Smoot overruled the motion, stating that the matters involved had been decided by the supreme court.

When Bachelor was asked if he had anything to state as to why sentence should not be pronounced upon him, Mr. Rushton again stated that the court was without jurisdiction to sentence him to electrocution, and that the only case where authority was given a court to resentence a condemned man was where there had been an escape, which had not taken place in this instance.

Despite the fact that sentence was not suspended by the court, the fact that a notice of appeal had been given was placed upon the records of the court. Mr. Rushton stated that he was aware that it had been decided in a prior decision that no appeal lay from the mere resentencing of a prisoner. But he drew a distinction between that instance, where the prisoner was an escape and therefore in contempt of court, and Bachelor's case.

Attorneys for the prisoner stated during the morning that they would continue the fight for Bachelor until the death sentence against him had been changed or he had been executed.

Hayes Leonard, negro accomplice of Bachelor, is still confined in the Montgomery county jail. His case, by agreement, was not acted on by the supreme court pending the disposal of Bachelor's case.

Leonard pulled the trigger that ended the life of Judge Smith, but was forced to fire by threat of Bachelor, he said.

CHILD FOUND HACKED LIFELESS; NEGRO HELD

Anniston, Ala., August 5.—(AP)—Harry Young, aged negro, is held in the county jail here in connection with the death of John Harrison, seven years old, whose mutilated body was found near his home yesterday.

Two negro children who told Sheriff W. E. Parker that they saw Young kill the child are being held as witnesses. They identified a hatchet which they said was used by the negro in hacking the child to death.

Police first advanced the theory that the boy had been killed by an automobile, but the finding of a bloody hatchet and the story of the two negro children caused them to discard the theory. Young, who is held without bond, denies any knowledge of the crime.

ARREST WHITE WOMAN'S HUSBAND FOR ALLEGED ATTACK BY NEGROES; BLACKS RELEASED FROM ALA. JAIL

(For the Associated Negro Press)

Bessemer, Ala.—Officers investigating the attack made upon Mrs. H. H. Powell with an axe, are almost certain that the attack was made by Powell, the husband of the white woman, and not by Negroes as the husband charged. In fact, so certain are they, that Porter and Jeanette Gibbs, who were arrested for the crime, have been released.

When the attack was reported to the officers, Powell is reported to have called the officers and told them that he found his wife in a critical condition and just before she lapsed into unconsciousness she informed him that she had been attacked by a Negro man and woman. Working upon this theory, the officers arrested Porter Gibbs and his wife, but later developments indicated that they were innocent.

TO LASH WOMEN CONVICTS WHO HID WEAPONS

Wetumpka, Ala., April 1.—Inmates of the Wetumpka state prison for women will be flogged for concealing weapons in their cells. Hamp Draper, chairman of the Alabama convict board, learned in a report on Saturday. Dozens of some made daggers, knives, stilts and blackjacks have been found hidden in mattresses and bed clothes. Warden W. J. Mason reported to Draper.

The weapons, shaped from files, table knives, ice picks and forks, all sharpened on razor edge, were discovered after women prisoners became intoxicated on a prison drink fermented from bread and syrup and attempted to mutiny. The lash will be applied mercilessly to any of the women convicts found with weapons in their possession, Draper announced.

NEGRO IS AWARDED CLAIM FOR SEARCH AGAINST DRY AGENT

McCord Upholds Opinion of McCord
Call in Ruling That Warrant
Necessary To Search
Automobile

Giving as his opinion that an officer, who, without the authority of a search warrant, searches a car for liquor, commits a trespass and does so at his own peril, Judge Leon McCord, of the tenth judicial circuit, gave judgment to the plaintiff Tuesday in the case of Ross Stringer against State, by the defendant Officer S. E. Tranter.

Judge McCord declared that to permit an officer under those circumstances, to search a car would transfer a grave responsibility from those in whom it was vested by the constitution to the officer making the search and impair the administration of justice to innocent parties.

The judgment \$500 was in the full sum asked by Stringer as damages for trespass when the officer without the authority of a search warrant, overtook and searched his automobile. One gallon of liquor was found.

Attorneys Lawrence Lee, legal adviser to Governor Bibb Graves, and Arthur Chilton who represented the defendant, stated Wednesday afternoon that an appeal would be taken to the supreme court.

Thomas E. Martin prominent local attorney, represented the plaintiff.

Only Question Involved.
In deciding the case, Judge McCord

stated that the only question involved was: "Can a duly qualified officer, acting as such, halt and search an automobile in Alabama without a search warrant if he has reason to believe and he does believe the automobile carries prohibited liquors?"

The fact of the actual presence of liquor in the car would not alter the case he stated, since the defense of the officer must be in either event the officer's bona fide belief as to the presence of liquor in the car. Such was the agreed fact in this case.

Judge McCord stated in his decision that possibly no greater responsibility is entrusted to an officer than a search warrant. Under it: "is permitted to thrust from his way those who would oppose him or stay his hand, he may break and enter, he may hold in the roadway the one to be searched, before his neighbors and friends, and carefully go through his property, or if the warrant so empowers through his person, while they look on; and, if needs be, he may summon the bystander to aid him and it becomes his duty to come to his assistance. It becomes the duty of every citizen when apprised that the officer holds a search warrant to search the citizens' persons or property to quietly and peacefully submit to the search. So that, we now begin to see just how careful the issuing officer of the search warrant should and ought to be before he issues a search warrant. If the party contemplated to be searched is a known bootlegger or whisky runner and there is probably cause for believing that he is transporting prohibited liquors, the issuing should and could act promptly in issuing the search warrant. On the other hand, if the party proposed to be searched has always borne a good reputation, never known to break the law, possesses a good character then the issuing officer should probe the probable cause to the bottom before his warrant should be issued. It is seen that the issuing officer of a search warrant has and holds a grave responsibility in the performance of this duty."

Founded on Article One.

Judge McCord's opinion was founded on Article One, Section five, of the Constitution of Alabama, which reads as follows:

"That the people shall be secure in their persons, houses, papers and possessions from unreasonable seizure or searches and that no warrants shall issue to search any place or to seize any person or thing without probable cause, supported by oath or affirmation."

He stated that this section of the constitution hangs out the stop signal to the legislature and it is forbidden to go beyond its mandates. Moreover, reading this section carefully, the issuing officer of a search warrant is apprised of the facts that the "persons, houses, papers and possessions" of the people of this state shall be secure from unreasonable seizure or searches. So that the issuing officer of a search warrant must first ascertain if the probable cause is bona fide; that is, is it reasonable; is it predicated on sound information and honest belief; what is the character of the place or thing and the character of the party or parties owning

or controlling such place or thing. After all this is done by the issuing officer, this section of the constitution says this is not enough—it must be "supported by oath or affirmation."

"An officer bearing a search warrant not only holds the power under it to search, but if the officer issuing the search warrant has done and performed his whole duty, then it is also a judicial declaration—a finding, that it was issued on probable cause and that there is probable cause."

States Contention

Judge McCord then states that if the contention of the defendant were allowed, the responsibility of the issuing officer of a search warrant comes forever to an end in Alabama, and is lodged solely in the arresting officer, who need only have "probable cause."

Of the danger of this he says: "This officer is not to be required to state his probable cause; he is not to be required to secure a search warrant, and he is not to act on oath or affirmation. It will be sufficient if he holds in the back of his head somewhere a probable cause for believing, and he does believe, thereupon, he may act, using such force as is necessary to effect the search, and if it turns out that he has made a mistake, that he has searched an innocent party, then it is proposed that when he is hailed into court to answer in damages, he may claim immunity by simply showing that he held secret and away from the world—in the back of his head—a probable cause for believing and that he did believe that the injured party was moving whisky in the automobile and he is to go unwhipped of justice."

To hold for the defendant, he gives his opinion, would be in direct contravention of the fifth section of the constitution.

The opinion closes with a conventional statement of judgment for the plaintiff in the sum of \$500.

CONVICT FARM PLAN MEETS OPPOSITION IN AUBURN BOARD

Spirited Debate Follows Resolution That Polytechnic Trustees Go On Record Against

State Action
Dowell Emphasizes Need of Additional Aid or Increased

Fees Must Result
GOVERNOR GRAVES REPLIES
TO CRITICISM OF ROGERS

By ATTICUS MULLIN
Staff Correspondent.

AUBURN, ALA., May 23—The board of trustees of the Alabama Polytechnic Institute of Auburn was asked Monday by John A. Rogers to go on record as opposed to the state buying any more land on which to work

convicts in competition with the farmers of Alabama. The resolution of Mr. Rogers created spirited discussion at the annual board meeting but due to the lack of a quorum, the resolution went over to a special meeting of the board to June 1, when it will be brought up for action.

The resolution of Mr. Rogers, a member of the Auburn board, was aimed directly at the announced intention of the present state administration to buy six 1,000 acres in various sections of the state on which convicts will be worked.

Governor Bibb Graves, immediately upon the introduction of the resolution, told the board that the plan of the state is to work only county convicts on the various farms. He said that it is impossible to work short term county convicts in cotton mills or in other gainful occupation because they do not stay in the penitentiary long enough to learn to be good laborers. He said the state hoped to be of assistance in teaching, them to be good farmers. Mr. Rogers retorted that he did not believe the state could teach men to be good farmers in two or three months.

"The state owns thousands of acres of coal lands," said Mr. Rogers in explaining where the convicts could be put to work to get them out of competition with the farmers of the state. "The convicts should be put into the mines owned by the state and worked there. Do you believe for one single instant that the legislature would have taken the convicts out of the mines if the farmers of Alabama had been organized and had maintained a lobby in Montgomery opposing it? Of course no such action would have been taken. But the unions had a lobby and they wanted the convicts out of competition with union miners and they have put them in competition with unorganized farmers. You hear a great deal about legislation to help the farmers. Now the state wants to help Alabama farmers by raising more produce to beat down the price the farmers receive."

Mr. Rogers in his resolution pointed out that the state is already making on its convict farms near Montgomery enough produce to feed the convicts of the state.

Rogers' Resolutions

The Rogers resolution follows: "Whereas, a law has been recently passed making it a felony to work the convicts of Alabama in coal mines after June 1, 1928, and whereas, it is now proposed to buy 6,000 more acres of land on which to work the bulk of the convicts to be taken from the coal mines, and whereas, many convicts are now being worked on the state farms, these convicts producing last year over 1,500 bales of cotton, more than 75,000 bushels of corn, and other feed crops sufficient to feed all of Alabama prisoners, and whereas, many of the states, as well as the national government, is considering legislation to help the farmer out of his financial troubles, these troubles being caused chiefly by farmers making more than can be sold at a profit. "Therefore, be it resolved by the trustees of Auburn:

"We oppose the purchase of any more lands on which to work convicts. Auburn a great educational institution was taken over by the state primarily for the education of farmers. It is in its origin and very nature in-

tended to be devoted to the upbuilding of agriculture. We believe that for Alabama to go more largely than it is now into the business of farming with convict labor will injure Auburn by injuring the farming interests of the state. It is unfair to make the farmers of Alabama bear the greater part of the enormous expense to the state caused by the removal of the convicts from the coal mines. It is said to be unfair to work convicts in competition with the free labor of men in coal mines. If this be true, what is it that makes it fair to work convicts on the farms in competition not only with the farmer himself but with his wife and helpless little ones."

While there was not a quorum of the board present, there was a quorum of the executive committee of the board. This committee adopted the recommendation of President Dowell that Miss Zoe Dobbs be made dean of women to succeed Miss Agnes Ellen Harris who has resigned to become dean of women at the University of Alabama. The committee also adopted the recommendation of Dr. Dowell that Professor J. R. Rutland be made head professor of English and Dr. F. B. Showalter be director of extension teaching.

The executive committee expressed appreciation of the services rendered Auburn by three retiring faculty members Miss Agnes Ellen Harris, dean of women; Roy Dimmitt, director of student activities and Hugh G. Grant, head of college publicity. Regret was expressed that these three had severed their relations with the college.

Dowell's Report

President Spright Dowell in his annual report said that the situation which the institution has long and heroically faced has reached the climax and unless aid is given by the legislature, it will be necessary to increase fees, to discontinue courses and to limit the number of students admitted.

"The institution has not undertaken to devise or to suggest ways and means for raising revenue," Doctor Dowell said, "but by every standard of service and achievement, it deserves and has the right to expect the support that will make it possible to give the type and character of training that will best serve the great commonwealth."

President Dowell summarized for the board the purpose for which relief at Auburn is imperative as follows:

The removal of indebtedness; the enlargement and strengthening of faculty and staff; the enlargement of curricula and the addition of new courses for which there is proper demand; the provision of necessary buildings and equipment; the repair and upkeep of buildings and equipment; the care and beautification of campus and grounds; the maintenance and enlargement of our experiment station work; the maintenance and enlargement of our extension service work.

The GOLDEN AGE

FUNDAMENTALISM, like everything else, is to be known by its works. Alabama is a sort of center of fundamentalism in the United States. Nearly every good Alabaman is a Fundamentalist; that is to say, he is a believer in eternal torture. How this works out in practice is disclosed by the following testimony of what happened at the Flat Top, Alabama, prison camp. The account was published in the *Memphis Commercial Appeal*:

Pugh said Knox came to Flat Top with several other prisoners on Aug. 8, and went down in the mines on Aug. 9. That night, he said, the check runner came out complaining that Knox didn't or couldn't do any work on account of his heavy weight. The warden the next morning kept Knox out of the mines and let him do some whitewashing. That was on Saturday, according to Pugh, who stated that the warden told Knox he would have to go into the mine on Monday. Knox went into the mine Monday and he understood that "some of the men in the mines beat him up that day". He said that Knox had marks on him and came to the hospital every evening when he came out of the mines. Prisoners told him Knox was "beaten up" practically every day that he had been in the mines.

Pugh said Knox went down to work Wednesday morning and the same thing happened that day. Knox, he stated, came out of the mine Wednesday afternoon and the warden had the doctor examine him that evening. The doctor didn't see any reason why Knox should have come out of the mine. Knox, he said, was sent back to work Thursday morning.

Thursday afternoon, Pugh stated, the men came out as usual when they were through with their tasks—the time being about sundown. After supper he said Cecil Houston came from the cells to the vat in the prison yard used for washing hospital linen, and filled the vat full of cold water. He asked him what he was going to do and Houston replied: "They are going to bring that fellow around here and duck him to see if they can't persuade him to work." He testified he told Houston that "they were fixing to drown the man, and he told me that they had beat him up all day and couldn't get any work out of him at all".

Shortly afterwards, Pugh said eight or ten men came, bringing Knox from the mouth of the mines. Knox was being dragged, he said.

Asked who were doing the dragging, Pugh replied: "The negroes. There was a bunch of those negro flunkies on top, working around the wash-house and the prison." He said that Warden Davis and one or two of his sons came from the prison across the yard and reached the vat about the same time the men did.

"I heard the warden, after a little bit," he continued, "tell one of the negroes to go down and turn the steam on this vat. I knew how fast that water would heat up with the steam pipes they have there; and after a few minutes this man's cries became so alarming that I decided to go out and plead for his life. I went through the hall and went out at the backdoor and when I got to the door the warden asked me 'What the h— I was doing coming out there?' or 'What the h— I wanted?' I told him I had come out to plead for this man's life and that they ought to be ashamed for treating him like that. I walked on out there. Mr. Davis' son told me that they had held Knox under water for five minutes at the time and it didn't even faze him. Well, I stood around there and, of course, the water kept getting hotter and he kept begging more pitifully and looked to me like he was screaming loud enough to have everybody hear in the whole country around."

Pugh stated in his testimony that all the white prisoners had collected in the lower end of the white cell of the prison to see what they could—that they "couldn't see exactly how it was carried on, but they could hear the man begging for his life". Pugh said there wasn't any whipping there at that time but stated: "This man was begging the warden to take him out of that hot water and beat him to death, or shoot him to death, Knox saying, 'Any kind of death besides this.' He begged the warden and told him that he had a mother and he would love to see his mother again. The warden told him, 'No, you want me to take you out and beat you up and put you in the hospital where you can show your bruises and injuries to everyone that comes around and tell them I did it.' He added, 'I'm going to wind you up and bury you.'"

Pugh further charged that, as the "ducking" continued, they would pull Knox's head above water and lay it on the curb of the vat and that, a little later, he lost his voice and was unable to scream. In the meantime Pugh testified that the water had become boiling in places. Asked who was doing the "ducking" Pugh stated that it was several of the negroes and Houston. Asked if Homer Anderson was "in that", he replied in the affirmative and proceeded to give the names of Joe Payne, Tom Owens, Albert Lewis and Sam Robinson as having part in it. He said they were all at Flat Top with the exception of Homer Anderson, who had been paroled.

Pugh said that Knox lay with his head on the curbing for some little bit and that he wasn't able to make any fuss at all. But it could be seen he was breathing. After he had lain there for some seven or eight minutes, Pugh testified the warden said: "Boys, he is just possuming on us. Stick him back under." They did so, and "when they brought him up at that time, just the time they

saw him they discovered, of course, that he was dead". The man was laid outside on the vat then, Pugh testified, and artificial respiration started. The warden told him, Pugh alleges, to run to the hospital and get a "shot" of strychnine and give it to Knox to try to revive his heart, which he did. Knox was carried by negroes into the hospital and in the bathroom there, he said, after he, Pugh, had carried out instructions to go in and run all the prisoners into the negro ward and close the door between the wards.

After the body of Knox had been carried into the bathroom, Pugh alleges, it was set down in a bathtub of water. He said as soon as that was done, "the warden told the negro, Homer Anderson, to get some poison and fix it up and pump it into his stomach, which he did. He went into the dressing room and I suppose took eight or ten or maybe more tablets and put into a gallon washpan and filled it full of water and took a stomach pump out of the drug room and ran it through his mouth and down into his stomach and poured this poison into his stomach."

After the poison was pumped into the stomach of the dead man, Pugh said that every one went off and that Warden Davis' son came back to see him and said that his "father wanted to know if we thought we had enough of that stuff in his stomach", adding "You want to be sure about that."

Pugh alleged that Warden Davis came back to see him a little later "and told me that if I ever opened my mouth about it that, of course, it would mean a lifetime sentence for him and probably at the same time a long sentence for me. I told him I didn't figure that I was in any way responsible for what had happened and that I didn't fear that part at all." It was at this point in his statement that Pugh testified that "everywhere you would touch the skin on Knox's body the skin would slip off, and a finger nail would come off, or half off."

Pugh said the death certificate which he partly filled out had been tampered with, a piece of paper having been pasted over the original line calling for the cause of death. Pugh said a letter written to Knox's next of kin was returned in the mails as undeliverable because of improper address. He "didn't know whether the letter was intentionally misdirected".

Pugh said the warden went over to see the prison doctor after Knox died and told him the man had committed suicide and that there wasn't any use for him to come up. The doctor made the certificate the

next morning on what the warden had told him. He stated the doctor looked at the body, but did not make an examination.

Pugh said the vat was of concrete, five feet wide, seven feet long, and three feet deep. He said Knox was put into the vat with his mining clothes on and that his

hands were not handcuffed or tied. Pugh declared he was within five feet of Knox and was looking at him when "he was protesting against them ducking him any more". He said Knox was standing practically still; that the negroes had him by the hands.

Asked to describe Knox, Pugh said he would think he weighed something over 250 pounds, was about five feet five inches tall and that he had light hair. In answer to a question, Pugh said he knew that Knox's head had been put under water; that the negroes had hold of him, but he didn't know what part of his body they had hold of. In response to a request, Pugh described the place where the body of Knox was interred.

Following the alleged forcing of poison into the body of the dead man, Pugh testified that Homer Anderson, the negro, smashed the bottle of tablets on the radiator, scattering the tablets and glass over the room, in an effort to make it appear that he had struck it from Knox's hand. Pugh stated that it was first planned to make it appear that he, Pugh, had struck the bottle from Knox's hand, but when he refused to sign a statement given him by the warden, the responsibility was placed on Homer Anderson. At the bottom of the statement Pugh said, "He just put it 'Hospital Steward.' Well, I was known as the hospital steward and he my assistant."

The testimony above given was supported by that of several other witnesses, all of whom agree that this man, who was too stout to work at mining, was cooked alive. One witness stated that wherever the skin was touched on the body it would slip off, and that the fingers were burned so badly that when the skin came off some of the meat came with it. Fundamentalists must find great joy in looking forward to an eternity of this sort of thing.

THE CRIME WAVE AND CONDITIONS

Most large cities have their periodical crime waves.

They are the symptoms of decay in many places and must be treated as the symptoms rather than the disease. Those individuals who commit crimes are the product of conditions that produce other criminals as fast as they are disposed of by any means. So that much of our efforts to be rid of crime is simply a process of allaying the symptoms that prove the existence of the disease rather than existing as the disease itself.

People who are interested in accomplishing something and work for an honest living rarely get involved in difficulties. They rarely resort to expedients for a livelihood, and, therefore, avoid the places and the haunts where crime is bred.

We know of no better method of bringing immediate relief than that determined on by the Police Department to round up vagrants; but this relief can only be temporary if the breeding places should remain intact to hatch out more.

In those districts where there are neither lights, sanitation or police protection, there are always the incentives, as well as the opportunities to commit crime. Cheap hovels, dirty, dark and crowded surroundings invite everything but decency, and a cleaning up of one crop of criminals just makes room for another when their breeding places are not destroyed. Perhaps the sale of whiskey contributes more than anything else to the

conditions out of which much trouble comes and the most of those who do the selling and commit the crimes feel that they have some protection in their situation and some outside of it. In many cases, these young Negroes are engaged in whiskey traffic for some one else who supplies them with the goods and get the profit on the trade. They are too often the tools of more decent people and the stuff they handle is merely in transit through them as agencies. This sort of thing encourages vagrancy and breeds crime. It cultivates the criminal instincts of boys and men otherwise weak from the effects of bad environment, and thus, illegal traffic and robbery become so rampant that one is never safe at home nor abroad at night. They should be rounded up and their source of supply should be investigated.

The roots of this crime wave are in conditions that lead in many directions, and an earnest effort at breaking it up will involve something more than rounding up vagrants and thugs in the Negro race.

JEFFERSON NEGRO ALABAMA WOMEN FIGHT GIVEN SENTENCE LEASING OF CONVICTS

Horace deVaughn Will Die in
Electric Chair For Mur-
der of Couple

BIRMINGHAM, ALA., Feb. 22.—(AP)—Horace deVaughn, negro, who was convicted yesterday for the murder of Mrs. Roy Thornton and A. B. Moore, January 12, was sentenced by Judge Heflin in circuit court today to death in the electric chair Friday, April 8.

DeVaughn will be the first person to die in the electric chair in Alabama, electrocution under an act of the state legislature which took the place of hanging March 1.

Although several condemned slayers have been sentenced to death in the state, deVaughn is the first to receive the actual sentence of electrocution.

The negro was convicted yesterday of murder in connection with the shooting to death of Moore who was an official of the Southern railroad, and Mrs. Thornton as they sat in a parked automobile on a lonely road near Birmingham.

MONTGOMERY, Ala., Feb. 24

(Preston News Service)—A resolution approving the removal of state convicts from the mines and looking to the House and Senate conference committee for "wise action to terminate the convict leasing system as applied to county convicts at such time as will be best for the interests of the state," was adopted Thursday afternoon by the legislative council of Alabama women's (white) clubs, composed of fourteen women's organizations from all parts of the state.

The women vigorously condemned the convict leasing system and pointed out numerous evils recently disclosed in various investigations.

POLICE BAFFLED IN SEARCH FOR NEGRO WHO ATTACKED GIRL

Victim in Magic City Hospital
Unable To Talk, Reveals De-
tails of Assault by Means
of Writing

BIRMINGHAM, ALA., Feb. 14.—Special to The Advertiser.—Police were against almost a blank wall tonight, in their investigation of the attack upon Miss Florence Seaver, 16, daughter of Major and Mrs. Thomas C. Seaver, of the Salvation Army who was the victim of a marauder in the home early Sunday morning.

The girl unable to talk because of a fractured upper jaw bone where the assailant struck her across the face with a furnace shaker, was taken to the hospital to today by ambulance and by signs to tell all she knew of the attack. This was little.

She said she was awakened by a noise to find a man standing over her

in the darkness. The man told her to keep quiet, but as she arose and started to scream, she was struck. She said she believed the assailant was a negro because of his voice, but was unable to give any further description. Police were able to obtain some partial fingerprints from marks left by the marauder who robbed the place after hitting the girl and locking both her and her mother, the only ones in the house at the time, in separate rooms.

The girl, a senior at Phillips High, is still in a serious condition, but is expected to recover.

WELL KNOWN IN SELMA.

SELMA, ALA., Feb. 14.—Special to The Advertiser.—News of the critical condition of Miss Florence Seaver, 16 daughter of Major and Mrs. Thomas Seaver of Birmingham, was learned with deep regret by many friends in this city.

Miss Seaver is in a Birmingham hospital suffering from a terrible blow on her face, inflicted by an unknown negro about 4:30 Sunday morning, while she and her mother were alone at their home.

Major and Mrs. Seaver are well known in Selma where they spent several days last fall assisting with the campaign to raise money to buy a Salvation Army Citadel for Selma. They have visited the city a number of times since taking over the work in Birmingham and have many friends here who deeply sympathize with them in the sad fate that has befallen their young daughter.

Husband He'd for Attack First Blamed on Negroes

BESSEMER, Ala. (ANP)—Officers investigating the attack made upon Mrs. H. H. Powell with an axe are almost certain that the attack was made by Howell, the husband of the white woman, and not by Negroes as the husband charged. In fact, so certain are they, that Porter and Jeanette Gibbs, who were arrested for the crime, have been released.

When the attack was reported to the officers, Howell is reported to have called the officers and told them that he found his wife in a critical condition and just before she lapsed into unconsciousness she informed him that she had been attacked by a Negro man and woman. Working upon this theory, the officers arrested Porter Gibbs and his wife, but later developments indicated that they were innocent.

Crime-1927

Arkansas.

ARKANSAS BLACK FINED \$5,000 FOR RESISTING ARREST

(By The Associated Negro Press)

Little Rock, Ark.—Robert Allen was fined \$5,000 and sentenced to serve six months in the county farm Wednesday, on a charge of resisting arrest. While Allen was charged with resisting arrest, the real grievance against him was that he was one of two Negroes who made a "date" with a white woman and was trapped by officers at the trysting place on the night of June 21.

Allen's partner was slain by the officers and Allen himself is alleged to have been roughly handled. This is the heaviest fine ever imposed on this charge. The law provides a minimum fine of \$50 and a maximum imprisonment of six months. In imposing the unprecedented fine upon Allen, Judge Weas made no comment except that the law provided no maximum fine.

LITTLE ROCK, ARK.

Bayette
JUN 26 1927

THERE IS A LESSON IN LONNIE DIXON'S CONFESSION.

For more than a month Lonnie Dixon, the young negro who was him-
electrocuted at the state peniten-
tiary Friday morning, insisted that
another negro youth was equally im-
plicated in the death of the little
white girl who fell victim to Dix-
on's depravity. He made this state-
ment in open court at his trial. He
made it repeatedly to police and pen-
itentiary officials and to ministers
and welfare workers, white and
negro, who visited him during
his incarceration in the con-
demned cell at the Walls. He
even made it to his mother, who be-
sought him to tell the truth before
he died and for whom, despite his
viciousness of character, he appar-
ently had genuine affection.

And then, a few hours before he
was to go to the chair, he con-
fessed that he alone was guilty, and
that the story he had been telling

was a pure fabrication which had
been concocted at the suggestion of
two other negro criminals with
whom he had come into con-
tact, in the hope that by testifying
against the negro he named as his
accomplice he might escape the death
penalty and get off with life im-
prisonment.

This incident should have a les-
son and a warning in it for the
well-meaning but frequently too
easily credulous persons who every
now and then foster state-wide or
nation-wide campaigns in behalf of
culprits caught in the net of death
as Dixon was. We need to remem-
ber that there is not a murderer,
no matter how low in the scale of
intelligence, who is not able to
think up some more or less plaus-
ible claim in his own behalf. The
truth of statements put forth un-
der such circumstances is always ex-
tremely doubtful. And although ev-
ery representation that a defendant
accused of capital crime can make
in his own defense should have full
and complete consideration it is well
to remember always that a man who
is facing death at the hands of the

law has everything to gain and
nothing to lose from earnestly urg-

SEARCH FOR N. 'DROWNER' STAR

Sheriff's Deputies And Bands Of
Citizens Scour Arkansas
For Accused Man

CHATFIELD, ARK., Dec. 30.—(AP)
—Blamed by a coroner's jury for the
death by drowning of Julius McCol-
lum, 11 years old, Elbert Thomas, ne-
gro was the subject of a search
by sheriff's deputies and bands of cit-
izens tonight.

Absence of water in the boy's lungs
when his body was taken from a bayou
near here last night led officers to the
belief he had been held by his heels
and his head submerged in the stream.
His boots, in which he carried his
money, were missing, giving credence
to a robbery motive.

Crime-1927

Colored Officers Catch Notorious Burglar of Babies

(By The Associated Negro Press)

Los Angeles, Cal.—Two colored detectives, McDuff and Green are rejoicing in the capture of a burglar, who has kept the police of all the stations mystified for some time. This was Ray Watson, whose operations have gained him the name all over the city of the "Twilight Burglar" from the fact that scarcely a day has passed but that one or more homes were burglarized between the hours of 6 and 8 p.m.

Watson is a boy not quite 17 but who has fallen within the clutches of the law on several occasions for minor offenses, and was on probation for a recent one.

Detectives McDuff and Green are two of the cleverest detectives on the force and are credited with many captures, among them the five Negro assault bandits whose unchecked crimes were causing a considerable racial feeling.

California.

Crime-1927

WOMAN ACCUSES NEGRO IN RAPE AND KILLING; HUSBAND FOUND GUILTY IN LOVE TRIANGLE MURDER

Mexicans who have been held in custody or under surveillance since last December have been released because of the outcome of the sensational Flower Pot murder case which came to an end last week.

Last December, Jacob Deiterich, wealthy, elderly nurseryman, was found dead in his nursery, his head having been crushed by a large flower-pot.

Mrs. Margaret Cromb, who had gone to Deiterich's nursery with him from home, leaving her husband behind till they "got a book," testified that as they entered the nursery, a Negro and two Mexicans seized her, the Negro killing the old man with a flower pot and the others dragged her to a tank-house where they assaulted her.

Regardless of angry denials and demonstrations on her part at the trial, which lasted over a week in Judge Bunnell's court, it was revealed at the trial and through a statement introduced by the State that not a Negro, but Mrs. Cromb's husband, Elsmore Cromb, was the murderer. Witnesses testified that there had been ill-feeling between the two men because of the older and wealthier man's affection for the young and pretty Mrs. Cromb. The jury returned a verdict in twenty minutes of manslaughter. The crime carries a ten year sentence in San Quentin.

California.

Crime-1927

THE SENTENCE OF WILLIAM
McKATHERN.

McKathern is the first Negro ever
accused of such a crime in this
province. To say the least, then, it
seems unfortunate that the first

Not a Negro in Ontario has any sympathy for Wm. McKathern who stands convicted of one of the most brutal crimes ever committed in the annals of our Province. He has brought a cancerous blot upon the fair record which we have maintained for the last century. For he has turned back the clock of progress fifty years. Would to God he had not been born.

But—take exception to certain remarks made by the presiding judge in passing sentence upon the prisoner. When he congratulated the “good and law abiding citizens of Chatham for not having snatched the prisoner from the strong arm of the law and burned him at the stake,” in our opinion both the dignity of the bench and respect for law and order suffered a deadening blow. Why should British justice be congratulated for so being? Why should law-abiding citizens be complimented for not having reverted to barbarism and worse? And again, is not the “strong arm of the law” to which the judge referred sufficient to prevent such a thing, and is not the spirit of the Canadian people and the Canadian law such as to render lynching and burning entirely impossible? Such a compliment to the “good citizens” of Georgia or Tennessee would have been quite proper and in order, but to the law-abiding citizens of any part of our Dominion it is untimely and unnecessary. In the event that a colored man is again accused of a similar crime what effect will this suggestion have upon the citizens, all of whom are not too intelligent? And in view of the fact that such a hint has been thrown out, would it now be surprising if the prisoner were taken out and burned at the stake? Could the same judge then serve on the bench with a clear conscience in the case of the lynch-ers?

As to the crime of rape, no one has more horror of it than we colored folk. No class of people is more desirous of seeing it stamped out. It is becoming a common crime here in Ontario. But Wm.

Canada

Crime - 1927
WASHINGTON'S CRIME WAVE AND CONGRESSIONAL ACTION

A "crime wave" swept over Washington, D. C. recently in which a number of women were attacked—incidentally the guilty parties were mostly Negroes.

We sympathize with outraged womanhood of whatever race but deeply regret it when the offenders are Negroes because of the state of the public mind as regards the Race, whether criminals or non-criminals.

The daily papers of the capitol seem to have kept their heads in this situation and have treated the crimes in the regular manner, without trying to play up the race and color of the criminals. For that they deserve credit. Likewise the better class of Negroes has shown a desire to help in the capture of the criminals and an utter lack of sympathy with them. Very good.

But Congress did an unprecedented thing and took action in the matter. That august body left off its actions on matters of great national and inter-national importance and took time to discuss the alleged "crime wave" and actually passed a motion appropriating \$1000 as a reward for the capture of a Negro who had assaulted a woman.

As dreadful and as reprehensible as the crime is it does not seem that an isolate case would call for Congressional action, especially when the Washington Police Department had offered a reward. Yet Cole Blease in the Senate urged such action and one Edwards in the Lower House from Georgia demanded a \$5,000 reward because of this "horrible crime committed almost under the dome of the Capitol building."

All of which shows up in sharp contrast with the failure of this same Congress, of the same Blease and Edwards, to pass an Anti-Lynching Bill.

Lynching is not an isolated crime. Lynching is a national crime and a purely American crime—not even uncivilized savages being guilty of it. And yet the American Congress refuses to take action to stop it!

Vtrily our Government strains at a gnat and Swallows a Camel.

Crime Prevention Committee Maps Out Program

Soon all the organizations in the District of Columbia will be working together. It does not actually happen, it will not be the fault of the joint committee on delinquency and crime. At the meeting held in the Y. M. C. A. January 24, it was unanimously decided by all the chairman of committees and the members who were present that they would do every thing in their power to secure the

D. C.
juvenile delinquency and an investigation of the need of a home for delinquency and an investigation of the need of a home for delinquent colored girls.

Mrs. Alma Scott, chairman of the committee on ways and means, outlined several plans which her committee are considering.

Mrs. Mary Church Terrell, chairman of the committee on publicity, stated that an effort would be made to have a corps of speakers appear in every available church and that literature calculated to give valuable information to the public and to create interest in the efforts put forth by the committee would be prepared as soon as possible.

Campbell C. Johnson, secretary of the Y. M. C. A., reported that a favorable attitude had been assumed by a number of ministers with reference to the employment of a colored church worker in the Juvenile Court to care for colored children.

Dr. G. H. Richardson, president of the Federation of Civic Associations was made a member of the committee on publicity.

SENATOR HEFLIN TELLS HOW HE SHOT A NEGRO

Senator Tom Heflin, Democrat of Alabama during a discussion of the filibuster in the Senate last Thursday night admitted that he shot a Negro several years ago.

Heyin, after charging that Senator Moses, Republican of New Hampshire, brought up the incident to "embarrass" him, held up the filibuster debate while he related at length and in minute detail how, nine years ago, he fired two bullets into the body of a colored man.

DRY AGENT WHO TORTURED NEGRO

WILL LOSE JOB U. S. Dry Chief Scores

Third Degree.

[Chicago Tribune Press Service.]
Washington, D. C., June 24.—[Special.]—Augustus Heise, assistant prohibition administrator in New York, who admitted in federal court yesterday that he used "third degree" methods to force confessions from suspected liquor law violators, will be discharged, Prohibition Commissioner J. M. Doran said today.

Issuance of the ouster order is being delayed to give Heise an opportunity to reply to the commissioner's demand for a detailed report although Mr. Doran admitted that Heise's statements in court were sufficient to justify his immediate removal.

U. S. Won't Prosecute.

Meanwhile the department of justice declared that no steps would be taken to prosecute Heise pending the outcome of an attempt by Representative F. H. La Guardia [Rep., N. Y.] to obtain his indictment.

Heise, who served in the regular army in the Philippine islands, admitted that he employed a Chinese method of punishment on Alfred Briggs, a Negro, and a former prohibition agent, in order to extort a confession that the latter had accepted a bribe. Briggs charged that he had been tied in a chair, beaten over the head and then tortured by a towel twisted tightly about his head. Heise's admission was brought to the attention of Mr. Doran by Representative La Guardia of New York this morning in a telegram demanding Heise's suspension.

"We do not approve of such methods," declared Seymour Lowman, who soon will succeed Assistant Secretary Andrews, "the third degree seems unnecessary and it will not be tolerated."

Demands His Suspension.

New York, June 24.—[Special.]—Representative Fiorello La Guardia telegraphed a demand to Secretary of the Treasury Mellon today that Augustus Heise be immediately suspended as second assistant prohibition administrator here.

To the charge of cruelty was added today the accusation that Heise was prejudiced against Negroes and that he was determined to rid the prohibition department of all Negro agents.

Maj. Chester P. Mills, Heise's superior, contented himself with asserting that the newspaper reports of Heise's "admissions" were "garbled."

"Heise denied on the stand that he had actually tortured the Negro," said Maj. Mills. "He admitted merely that he had threatened him with the degree."

Crime-1927

NEGRO ELECTROCUTED

Jacksonville Negro Pays Extreme Penalty For Death of Merchant

RAIFORD, Fla., March 1. (AP)—Leory Salter, Jacksonville negro, was electrocuted at the state prison farm here today for the murder in a holdup several months ago of A. Raaman, Jacksonville merchant. Another accomplice in the robbery, Elwood Stone, is to be executed next week.

EXECUTION WARRANTS FOR 2 NEGROES SIGNED

Tallahassee, Fla., March 22. (AP)—Death warrants calling for the electrocution of Robert Martin and Earl London, alias "Poker Bill" in Polk county, were signed today by Governor John W. Martin. Both are negroes.

Pittman, convicted in January for clubbing L. B. Fildes to death, will die during the week of April 18 and London, sentenced for the slaying of John Edward Harrelson during the week of April 4.

CONVICT BOSS BEATEN BY NEGRO PRISONERS

Florida Official Handcuffed and Bound to Tree.

PERRY, Fla., March 25. (AP)—After being handcuffed to a tree for 18 hours in the wilds of Taylor County by five negro convicts he was taken to a road camp. P. D. Fanchier, county convict boss, was recovering today from exposure and hoarseness.

Fanchier was overpowered about noon Saturday as he was transporting five negro convicts to a road camp taken from his automobile, dragged about 100 yards off the road and handcuffed to the tree, his body lying partly in a pool of swamp water.

County authorities set out in search for the man when he failed to show up and located his abandoned automobile later the day. The countryside was scoured and no trace of Fanchier found. The negroes had driven the machine about eleven miles from the scene of their escape. All night the search was continued by a posse of some 200 men. Shortly after daybreak one of the party happened upon the officer.

One of the negroes was killed early today by the sheriff's posse, according to word relayed into Perry, and two of the others captured. Their names were not available.

Florida.

An overwhelming number of the prisoners received at the prison ranged in age from 16 to 21 years. Including in this class were 167 whites and 171 negroes. Those from 22 to 25 years old were second with 107 whites and 117 negroes, and those from 26 to 30 years of age next with 80 whites and 98 negroes. The number of prisoners decreased correspondingly as the age increased, except in the last two classes. Six prisoners were committed in age from 56 to 60 years, while eight were received from 60 to 71 years in age.

Negroes outnumbered whites, there being 462 of the latter as compared with 532 of the former.

ST. PETERSBURG, Fla.

Time
MAY 4 1927

CRIME INCREASES IN STATE IN 1926

1,427 at State Prison on January 1 Grows to 1,910 by End of Year.

TALLAHASSEE, Fla., April 8. (AP)—Nine hundred and ninety four persons were sentenced to Florida's state prison during 1926, according to the nineteenth biennial report of the Prison Division, State Department of Agriculture, just off the press.

There were 483 white males committed; seven white women, 477 negro men, and 27 negro women.

Dade county was the "wickedest," if prison commitments are to be taken as an indication of wickedness. That county contributed 157 prisoners during the year.

Duval trailed in second place in the number of commitments with 137 and Palm Beach county third with 87. Hillsboro came fourth with 77. Three counties possessed a clean slate, Glades, Hendry and Okeechobee counties sending no prisoners.

Breaking and entering led the list of forty crimes enumerated with 186 commitments. Grand larceny followed in second place with 141 and murder well down the scale in third place with 109. Next in order came larceny of automobile, 83; robbery, 64; forgery, 63; manslaughter, 57; assault on murder, 55; highway robbery, 33; embezzlement, 29. A single prisoner was incarcerated for issuing worthless checks.

The number of prisoners increased from 1427 on January 1 to 1910 on December 31, 1926. The state farm lodged 993 of this number, the state road camps 907, and other institutions 10. In addition to the 994 commitments, 103 prisoners were recaptured and two pardons were revoked to swell the number. Prisoners discharged during the year totaled 329, less than one-third the number received. Eighty-seven were pardoned, two paroled, 169 escaped, 22 died and seven were legally executed.

Yesterday there were 35 candidates for city commissioners, and today there are only eight. Twenty-seven perfectly sound and worthy aspirants seek to reveal that crime is waning, the statistics of the biennial report show differently. In 1900, there were 300 convictions, and in 1926, the total had more than doubled, and was 994.

A negro from Alachua county was executed last week who had been tried and sentenced in 1923. None of our northern friends will be able to find anything related to lynching in that case, anyhow.

MORE CRIMES ARE COMMITTED BY STATE BOYS

TALLAHASSEE, May 3, (AP)—The youth of Florida is more addicted to crime than his older brethren, if statistics contained in the latest biennial report of the state farm division is an indication.

According to the report, during the year 1926, of a total of 462 white prisoners received at the state prison, 167 were between 16 and 21 years old, and of 532 negro prisoners, 171 were between those ages.

The next in order in the ages of those received at the state prison were those between 22 and 25 years. Of that class 107 were white and 117 negroes.

Other ages follow:

From 26 to 30 years, 80 white and 98 negroes; from 31 to 35 years, 39 white and 52 negroes; from 36 to 40 years, 26 white and 33 negroes; from 41 to 45 years, 16 white and 34 negroes; from 46 to 50 years, 14 white and 11 negro; from 51 to 55 years, five white and 10 negro; from 56 to 60 years, four white and two negro, and from 61 to 70 years, four white and the same number negro.

Regardless of the fact that some statistics seek to reveal that crime is waning, the statistics of the biennial report show differently. In 1900, there were 300 convictions, and in 1926, the total had more than doubled, and was 994.

During the 26-year period, more were placed behind the bars for breaking and entering and burglary than any other charge. The total in that respect was 3,269. Next in order was 3,154 convicted of larceny and grand larceny. There were 1,391 sentenced for assault on murder and manslaughter and 2,187 for murder and manslaughter.

FLAMING YOUTH IN FLORIDA (St. Petersburg Independent.)

It seems that after all there is something to this agitation about a "flaming youth" problem. It is brought home to us in Florida by the recent biennial report of the state prison division at Tallahassee. This report shows that in 1926, out of four hundred and sixty-two white prisoners in the state, one hundred and sixty-seven ranged in ages from sixteen to twenty-one years. Crossing the color line made a difference of only four, for of the five hundred and thirty-two negro prisoners one hundred and seventy-one were between the ages of sixteen and twenty-one. That flaming

Negro Curfew Rule For Ft. Myers, Fla.

FORT MYERS, Fla., June 5.—A 1 o'clock curfew for negroes has been declared by Chief of Police C. G. Enos, of this city, as a safeguard against further robberies and a series of burglaries in the Hill, Fort Myers negro district. All negroes found on the street of this city after 1 o'clock in morning are to be imprisoned in municipal bastille on charge of vagrancy, according to Enos.

youth may be a few degrees worse than early manhood or womanhood is suggested by the count of one hundred and seven between the ages of twenty-two and twenty-five among the white prisoners and one hundred and seventeen among the negroes.

TWO NEGROES MUST PAY DEATH PENALTY

Roosevelt Kirkland and Herbert Harvey Convicted

FLORIDA AX MURDERS

Mr. and Mrs. E. Reich Killed Near MacClenny

MacClenny, Fla., July 12, (P)—After deliberating twenty minutes, a Baker county jury late today found Roosevelt Kirkland, negro, charged with the ax slaying of Mr. and Mrs. E. Reich, aged couple near here several weeks ago, guilty of first degree murder with no recommendation. The verdict carries a penalty of death in the electric chair. Late yesterday afternoon Herbert Harvey, negro, was found guilty of murder in connection with the case.

Both negroes were captured in Jacksonville after the crime was discovered some forty hours after it was committed. Mrs. Reich was dead when found and Reich died after being rushed to a Jacksonville hospital.

Robbery was believed the motive.

NINE LYNCHINGS RECORDED

Mississippi Leads With Four For First Half of 1927.

Tuskegee, Ala., July 12, (P)—There were 9 lynchings during the first half 1927, the department of records and research at Tuskegee Normal and Industrial Institute announced today.

All of the persons lynched were negroes, the statement said, and were distributed among the states as follows: Arkansas 2; Louisiana 1; Mississippi 4; Missouri 1 and Texas 1.

The offenses charged were: murder 4; attempted murder 2; rape 1; improper conduct 1, charge not reported 1, the institute's announcement stated.

The total number for the first half of this year equalled the figures for the first half of 1925-26 and was four more than the total for the first half of 1924. It was 6 less than the number for the first 6 months of 1923, 21 less than the figures for the same period of 1923 and 27 less than the record for corresponding months of 1921.

WHITE GIRL DIES IN HOSPITAL

Colored Doctors and White Man Held

PENSACOLA, Fla., Aug. 13—Drs. A. S. McGee and E. C. Moon, colored, E. E. Tart, white, and Mrs. Viola Edwards, owner of the Viola Edwards Hospital, colored, were held to the County Court yesterday as a result of coroner's inquest into the death of Dorothy Friederichsen, prominent white girl of this city. It is alleged Tart, who had been keeping company with the girl took her to the Negro hospital and asked that an operation be performed. Dr. J. D. Pickens and Dr. E. F. Sarons, colored, refused to have anything to do with the case, Dr. Sarons declaring he would not touch it for \$1000. The others it is said took it for \$100

without asking.

SHOT BY DEPUTY

Al Jackson (Colored) was shot and instantly killed by Deputy Sheriff Cunnett, at Chubb last Monday morning early. The deputy was called upon to quiet Jackson who was terrorizing people with his gun. The sheriff tried to get it away from him and was obliged to shoot in self defence.

SOUTH LAUGHS AS NEGROES DO WORK OF MULES

Prison Superintendent Says It's "Great Sight" to See Negroes Yoked to Heavy Plow in Boggy Mire on Florida Farm

The following report on how Negro prisoners on a Florida prison farm are being made to do work too difficult for mules is culled from the Sunday Times-Union, Jacksonville, Florida, December 4. The "bastard" outrage, told with daring flippancy by the prison superintendent, must make the blood of every true Negro boil in indignation and cause him, as 1928 is ushered in, to vow anew that these relics of the Dark Ages, which produce mirth for bright, diseased minds, shall disappear from this and every other land.

(From the Times-Union, Jacksonville, Fla.)

HUSKY PRISONERS CHANT AS THEY PULL PLOW AT CITY FARM

Man Power Supplants That of Animals to Furrow Rich Soil There

Man power supplants animal strength in front of plows in the soft, boggy mire of the southern center section of the city prison farm, five miles north of Jacksonville. Horses or mules are unable to tread in the boggy soil, which in many respects resembles the mire of the everglades, but the failure of the animal to gain footing has not prevented that rich loam from being turned into one of the great production centers on the vast farm. It's a great sight at the city prison farm to see from eight to ten Negro prisoners pulling a heavy plow through the soft ground, singing at the top of their voices and furrowing rows even straighter than those made by a plow drawn by animals.

They Gee and Haw

A Negro knows how to "gee" and "haw" better than an animal, stated Captain Byron Parker, superintendent, yesterday afternoon, and as a result straighter furrows are obtained and the work is practically as speedy as if it were done by mules. A long chain is attached to the front of the plow and sticks are run through the links at certain intervals, leaving a handle on either side of the chain. The Negroes are evenly placed along the chain, each pushing against

handles. One Negro guides the plow and "gees" and "haws" whenever necessary, and his commands are responded to by the prisoners. The practice has been carried on for many years and it has proved successful. Many interesting features have resulted from the man power, which were related by Captain Parker yesterday.

Brays Like Mule

After a hard day's work in front of the plow, said the superintendent, one of the Negroes strolled to a soft section of the field, fell down and started rolling over and over and then arose, shook the dirt and sand from his clothing and brayed like a mule.

"What's the matter with you?" one of the Negroes asked, said Captain Parker.

"Well, if I'se gonna be a mule, I'se sho gonna act like one," was the Negro's reply.

Captain Parker declared that the

work in front of the plow was one of the tasks always sought by the strong, husky Negro prisoner. Few objections have been raised by the workers and they usually set about their task in good humor, singing during the entire time they are trudging through the mire in their bare feet. The land over which the Negroes pull the plow is similar to the soil of the everglades, and during dry spells the ground will readily burn if ignited. The soil is nothing more than decayed vegetable matter. A plan has been in effect for several years by which the extremely boggy sections have been dried to some extent with the mixture of sand.

Crime-1927

Florida.

HERALD

JUL 26 1927

ANOTHER STATE CONVICT CAMP ESTABLISHED IN COUNTY FOR SPEEDING WORK ON ROAD 19

Second Camp Now Has
Large Force On Right
Of Way

THIRD HERE SOON

Yet Another Gang of State La-
bor to Be Placed On 14
Mile Stretch

Another convict camp has been established by the state road department on the right of way of the new highway No. 19 in this county during the past few days. This new gang of labor for the new road is composed of about 90 negro convicts and headquarters for the camp have been established at what is known as the old O'Quinn place about eight miles northwest of Perry.

This is the second state camp to be established in Taylor county and a third is being constructed and will be occupied within a short time. Two large crews of the state laborers and two squads of Taylor county convicts are now working on the right of way and when the third camp is established within thirty or sixty days, almost every mile of the road in the fourteen mile link to the county line will be under intensive construction activity.

Six miles of the right of way has been taken back by the state department for clearing and grubbing from the county contract in order to speed along the construction work. This is in the center of the fourteen mile stretch and the new state convict camp already has its forces on this work. The Taylor county forces have

made very good headway with the clearing and grubbing at the furthermost end of the right of way from Perry and will soon be finished with that six-mile stretch. Another squad is now at work on the four miles closest into Perry and this has a favorable topography so that the clearing and grubbing will progress

very rapidly. The other state camp has a large bunch of teams and scrapers and is rapidly throwing up the grade for the new highway.

Bids have been called for by the state department for the bridge over the Aucilla river on Road 19 and the grading in Jefferson county is rapidly nearing completion. Every indication points to the early completion of the whole length of this important highway.

NEGRO WHO DIED IN "SWEAT BOX" REPORTED INSANE

Tallahassee, Fla., September 9.—(P) Henry Ridley, negro convict, who died at a state road camp several days ago while in a confinement cell, was not mistreated by the camp officers, and really died from mental derangement, according to the report of B. H. Dickson, prison superintendent, made today to the state prison bureau.

Ridley was placed in the confinement cell, often referred to as a "sweat box," after he had thrice refused to work, according to the statement of the camp captain, Thomas Foster. His body was found there early Monday morning, after he had been last sent to the cell on the previous Friday.

DIED IN SWEAT BOX

Henry Ridley was only an unfortunate colored man. He was accused and found guilty of the laws of Florida and sent to the penitentiary for a period of four years.

Ridley became sick and unable to work. The doctor examined him and found that he had malaria fever, but stated that he would be all right in a few days. He was forced to return to his work. Those acquainted with any kind of fever understand the weakened condition of the human constitution after such an attack. Ridley was unable to work and he was placed in a sweat box of 3x6 dimensions, so arranged that he could not recline during the day, and possibly at night the same condition obtained, according to the disposition of the guards in charge, with the intense Florida heat and numerous insects. The result was that Ridley succumbed. The coroner's jury found that his death resulted from natural cause. No other verdict was expected, but some one is to blame for this tragedy, for a tragedy it is indeed. For humanity's sake there should be an unbiased investigation and punishment should be meted out to those responsible for this death.

Ridley, only an unfortunate Negro, was one of God's creation. His black skin should not have been the cause for the least cruel treatment.

It is stated that an investigation will be made. Will it be a white wash? The sweat box tragedy cries out loud for unbiased action.

ALBANY GA. Herald.

SEP 8 1927

The death of a negro convict in a "sweat box" in Florida has aroused a storm of indignant protest against a chain-gang system under which such a deplorable thing could happen. It is reported that the negro, having been treated for malarial fever, refused to work after he had apparently recovered from his illness, and was placed in a "sweat box," where he remained from Friday night until Saturday morning, when he was found dead. Florida should not tolerate longer this practice, which has brought disgrace upon the state.

Scalds Man to Death in "Sweatbox"

Tallahassee, Fla., Sept. 9.—Following the expose of the whipping to death of several convicts in prison here some years ago, the state legislature abolished this form of punishment, but according to recent reports a more brutal system has been established.

It is known as the "sweatbox." The latest victim of this form of legalized manslaughter is Henry Ridley, who was found scalded to death in a "sweatbox" of a state road camp last Tuesday. Ridley was serving a four-year sentence for manslaughter. A coroner's jury "probing into his death found that he died by natural causes, the exact nature of which was not known." This verdict hid the real cause of Ridley's death until a fellow convict wrote a letter to a friend in the city which was later sent to a local newspaper.

Bathed in Steam

The "sweatbox" is a wooden structure, reinforced by tin, just large enough to hold a person standing upright, and is used in road camps for disciplinary purposes. Holes in the side of the box admit pipes, through which steam is shot in on the prisoner. Convicts who are termed un-

ruly because they will not work when sick, are often kept in this box until their bodies are blistered from steam. The idea was borrowed from the old English style of punishment, which was the custom on convict ships, the only feature missing is that salt is not rubbed through the blistered body.

Thomas Foster, captain of the camp and known among the convicts as "Simon Legree," told the coroner's jury that Ridley "was a lazy nigger and said he was sick to escape work." Some of the convicts at the camp declared to reporters who interviewed them, that there are two methods of "sweating" prisoners. When visitors come around the camp, they said, they are shown the "sweat-box" that is minus the steam connections. This is to minimize the brutality of the system.

Brutality Cited

Florida prisons were condemned by leading criminologists throughout the world following the death of Clarence Tauber, a Nebraska white boy, who was killed at a whipping post by a convict boss when he was serving a short sentence. The state legislature conducted an inquiry into prison methods and found that Florida rivaled the "Black Hole of Calcutta." Since this disgrace upon the state, which leading authorities on prison methods termed "legalized lynching," Florida convict bosses have confined their punishments to dark prisoners only. White prisoners are denied food for three days, but it is understood that they must not undergo the "sweatbox" treatment.

When asked whether he thought the state authorities would investigate the death of Ridley, Captain Foster, head of the camp, replied: "I don't think so. They don't investigate lynchings, so why should they go to the trouble to bother about how a convict died."

ORDERS PROBE OF 'SWEAT BOX' DEATH OF NEGRO CONVICT

Florida Prison Commission Acts
After Body Found in Small
Wooden Cage Used For
Discipline

HAD BEEN TREATED FOR
MALARIA BY DOCTOR

Coroner's Jury Unable To De-
termine Cause of Henry
Ridley's Demise

TALLAHASSEE, FLA., Sept.
6.—(AP)—An investigation of
the death at a state road camp
near here of Henry Ridley, negro
convict, was ordered late today by
Prison Commissioner Nathan
Mayo.

Ridley's body was found in a "sweat
box" where he had been placed, prison
authorities said, when he twice refused
to work. He was placed in the box
Friday, and died some time last night.

Following an inquest by a coroner's
jury, which decided death was from
natural causes, Mr. Mayo ordered that
B. H. Dickson, prison supervisor sta-
tioned at Marianna, be ordered to
the camp to conduct the investigation.

The coroner's jury was unable to
determine the exact cause of the ne-
gro's death. It was testified at the
hearing that a local physician had re-
cently treated the negro for malaria
and had advised the camp authorities
that Ridley should be able to work
within a few days.

No Violent Mistreatment

The physician, Dr. C. M. Ausley,
also told the jury that the negro's
body showed no evidence of violent
mistreatment, he said he treated the
negro but once.

T. Foster, in charge of the prison
camp, said that Ridley had been serv-
ing a four year manslaughter sen-
tence from Volusia county had been
transferred to the camp a short time
ago and had been ordered to work on
the road. He refused and was confined
in the "sweat box." Foster told the
jury. After being kept there several
hours and taken out again, he was or-
dered to work a second time. He
again refused, Foster said, and was
returned to the "sweat box" and left
there.

A scant few feet in width, the
"sweat box" by a legislative act of
1923 replaced the lash as a method of
punishment at the Florida road camps.
They are of wood construction.

ENTERPRISE

FLORIDA'S "SWEAT BOX" DEATH

There is another furor in the mak-
ing in Florida where a negro was re-
ported as dying in a "sweat box," an
adjunct of some of the prisons of
that state. The negro was said to
have been suffering from malarial
fever, which can well be imagined in
some of the gang camps in that state.
He refused to work and can hardly
be blamed for doing so if the diagno-
sis was correct. He was placed in a
sweat box and left there for three
days during which time he died.

The cruelty of some prison guards
and wardens is well known and when
an incident of this kind comes to
light, even though the circumstances
might have warranted some severe
form of punishment, by reason of the
surliness or contrariness of the pris-
oner, it is taken as a typical case,
one that justified general and whole-
sale criticism.

We have never favored extreme
cruelty or the third degree to the
extent that it is commonly practiced.
Yet this method is the only thing,
which will work on some prisoners.
It is the easiest thing to make a mis-
take where it is used and these mis-
takes are very costly. Florida will
investigate and find the facts in the
case and meanwhile the country will
seethe with resentment as a result
of some of the lurid and wholly im-
proper articles, which will appear
in some of the sensation hunting
newspapers.

We have no sympathy with crim-
inal cruelty to prisoners. But we
have as little toward the sensation
seeking scab, who will picture some-

thing of this kind as a typical and
tolerable practice, when as a matter
of fact it is as genuinely deplored
and despised in the state where it
occurs as elsewhere.

THE SWEATBOX MUST GO

Florida has been shocked by another
convict death, that of a negro who was
taken dead from a sweatbox in a road
camp. The lash as a means of punishing
state convicts was abandoned several years
ago as the result of death coming to a boy

at the hands of the flogging boss Higgin-
botham, and the sweatbox was the only
means of punishment left.

The solution of this problem seems to
lie with another article which appeared in
the public print recently, wherein it was
related that a two-story concrete factory
is being built in the state prison at Raiford,
to be used in making underwear. This is
in addition to the shirt factory, tag plant,
shoe factory, tannery and other industries
now functioning there.

About half of the state's convicts are
scattered over the state in road camps now,
working on the highways. If one becomes
sullen and refuses to work, there is no pun-
ishment possible except the sweatbox, and
that is almost inhuman in its effects. But
if the majority of state prisoners who are
inclined to sulkiness are kept in the new
state prison and placed in solitary confine-
ment when they decline to labor, they will
be punished just as effectively and more
humanely than by the sweatbox or the lash
either.

When Governor Martin went in office,
he started to industrialize the state institu-
tions. He declared then and since that the
prison ought to support itself and at the
same time be a safe place for dangerous
criminals. In a few months the new state
prison will replace the old wooden bar-
racks, and little by little factories are be-
ing formed there to capitalize on prison la-

bor, instead of allowing it to be wasted
over a 20,000-acre farm as it has been in
the past.

When the prison is completed, keeping
convicts in Florida can be placed on a
scientific and at the same time humanitar-
ian plane.

DR. R. R. MOTON WARNS PUBLIC AGAINST CHARGING OTHER RACES' CRIMES TO NEGROES

Editorial Note:

Dr. R. R. Moton of Tuskegee Institute has sent out to the Press of the country an open letter on two very recent murders in which he condemns the common policy of placing the crimes of white people on the shoulders of black people. One of the incidents that he calls attention to is an affair in Alabama, the like of which has not been recorded in history.

Dr. Moton is right in his analysis and the expression should have the widest possible publicity in order that society would turn its attention on the dangers that follow these practices. The nation and the world recognize Dr. Moton as a conservative, clear thinking, constructive citizen. He is not likely to speak out of passion, prejudice or without thought, or deep consideration. He can be depended upon as having considered any question thoroughly before public utterance is made. Much of the cure for the criminal attitude of America must come through such counsel as is given in Dr. Moton's letter.

Here is what he says:

AN OPEN LETTER

To the Editor:-

Two recent murders within the same week claimed front page space because of the mystery surrounding them and the cunning with which they were executed. One occurred in Alabama and the other in New Jersey. In the Alabama case a wife was killed and the husband's first statement to the officers was that a Negro had committed the crime. In the New Jersey case a husband was killed and the wife claimed that Negroes had committed the crime.

Later developments have tended to show that in both instances the accusers were themselves the murderers or the instigators of the crime. It is a common occurrence that when a crime is committed in a community where there is a considerable number of Negroes, the first utterance on the part of the excited citizens is, "get the Negro." And as a result the real criminals have sometimes gained sufficient time to cover up their tracks while the officers of the law and infuriated citizens are the all too willing victims of this time-worn ruse. And this applies, as the evidence shows, to Michigan as well as Georgia, to the North as well as the South.

Fastening Crime Upon Negro

The ease with which crime may be fastened upon the Negro is an obvious fact of American life. The practice of the press in giving front page space and large headlines to crime stories involving the Negro with no corresponding effort to publish the creditable and substantial achievements of the race, has produced a state of mind where the general public is ready to accept as a fact the merest suspicion or accusation that a Negro is the perpetrator of a particular crime, and the more revolting it is the more easily it is believed.

Finger Of Suspicion

This is bad enough for the unfortunate individual toward whom the finger of suspicion is pointed, but a more serious consequence is that a not inconsiderable part of the crimes of other races is recorded against the Negro thus placing the stigma of excessive criminality upon the race as a whole and creating a condition which effects their home life and their educational advantages as well as their economic and industrial opportunities.

Nor is the effect confined to the Negro. Such incidents are broadcast over the world as typical of American standards of race relations, and it becomes increasingly hard to reconcile such conduct with America's claim to the moral leadership of the brotherhood of nations. In this we as a nation are doing ourselves a great injustice, especially in view of the striking progress that is now being made in race relations in our country along other lines, due in large part to the courageous and liberal editorial policy of the press of all sections, particularly of the South where the situation has been most acute.

It is apparent to all fair-minded persons that a situation which makes it possible for the weakest and most helpless group of our citizenship to have placed upon them the stigma of crime on the slightest pretext, is not only a gross injustice to the individuals involved, but places upon the Negro race an almost impossible handicap in its effort to establish its claim to all the rights and privileges of American citizenship.

No Disposition To Excuse Criminals

There is no disposition on my part to excuse the criminal element in my own race. They themselves contribute enough to the backwardness of the race and to the propaganda against the race, but adding to this the fact that the criminals of other races may blacken their faces or otherwise simulate the Negro, or may commit a crime and escape the consequences by accusing the Negro, presents a situation which seems to call for the most earnest thought on the part of public authorities and all the leaders of public opinion in this country. For there is abundant evidence that it constitutes an active menace to the rights and liberties of all classes of our citizens.

Negro Faces Greatest Difficulty

In my opinion, the Negro faces no difficulty more acute at this time than the situation as shown in the Treece, Lilliendahl and similar murder cases. Here, it seems, is an opportunity to apply the methods and the spirit of the Inter-racial Commission in every community in effecting the simple justice of discovering as nearly as possible the real facts in such matters before the hasty publication of statements calculated to inflame popular sentiment against a wholly innocent victim and place the stigma of criminality upon an entire race.

—ROBERT R. MOTON,

Principal Tuskegee Institute, Ala.

Crime-1927

General

NEGROES ARRESTED IN ROBBERY CASE

Trio Charged With Attacking and Robbing Aged Nightwatchman

Three negroes, one woman and two men, are held in the city jail on blanket charges of suspicion in connection with an attack and robbery of N. E. Bruce, night watchman of the Armour Fertilizer company, in North Montgomery on April 2.

Detectives Johnson and Dennison, who have conducted an investigation into the attack of the night watchman, arrested the three negroes early last night after following clues obtained in the investigation.

The negroes, Robert, Sam and Eliza Scott, are believed by police to have been the robbers of Mr. Bruce. Mr. Bruce, who is about 60 years old, was attacked and beaten by the three negroes with a large wrench into unconsciousness last April and robbed of his weekly pay check, which amounted to approximately \$25 and his pistol.

On last Saturday night, Mr. Bruce was again attacked but was not beaten to unconsciousness and fired several times at his assailants, who fled after throwing a large axe at him. Officers Johnson and Dennison worked on the clue of the pistol, which was pawned by the negro assailants to another negro and later repawned to a second person.

The pistol was identified by Mr. Bruce as the one taken off of him last April, and Sam Scott, when questioned by the arresting officers, admitted that he pawned the pistol to another negro but refused to discuss the attacking. No charges have been preferred against the three negroes.

ATLANTIC CITY, N. J.

QUEER CRITICISM

That the newspaper press is reckless in placing the stigma of criminality on the Negro race is the charge made by Robert R. Moton, principal of Tuskegee institute. He points out that in two recent murder cases, which had general first page display, Negroes were immediately accused, though later developments tended to prove that the crimes were committed by white persons who set up the hue and cry of "Negro violence" to cover their own alleged guilt. Dr. Moton thinks it is unfair for the press to give "front page space and large headlines to crime stories involving the Negro with no corresponding effort to publish the

credible and substantial achievements of the race" and adds that this practice has produced a state of mind which induces the general public quickly to suspect the Negro in cases of revolting crime.

While it must be granted that the press in general is often slow to acknowledge the remarkable advances the Negro race has made in recent years Dr. Moton's criticism to us seems hyper-sensitive and insecurely based. In both of the murder cases cited the press merely took the lead the authorities were following. When suspicion turned against Negroes, the press, of course, announced the fact. When Dr. Moton charges, as he does, that the hasty publication of such news is "calculated to inflame sentiment" against his race he is indulging in a fancy which is unbecoming to himself and his office. News is news and must be printed as it develops. —Editor and Publisher.

CRIMINAL RESEARCH REQUEST GRANTED

Harvard Expert To Conduct Investigations in State Prisons in Alabama

The Bureau of International Research of Harvard university, which is now conducting an investigation of physical characteristics of criminals in the United States in their relation to causes of crime, has asked the permission of Gov. Bibb Graves to send an investigator engaged in this work, to Alabama, to gather data at the state prisons here. Gov. Graves has granted the request and has assured Ernest A. Hooton, associate professor of anthropology at Harvard, who presented the matter to him by letter that he will have the full cooperation of Alabama state prison authorities.

In his letter to the governor, Professor Hooton said that the Harvard bureau of international research, has already completed the examination of more than 5,000 prisoners in the state of Massachusetts. He added however he feels that the relation of the negro to anti-social activity can be understood solely in its southern setting, and that the bureau does not wish to draw conclusions from the "unrepresentative negro population of the Massachusetts penal institutions."

Knowing the recent great industrial progress of Alabama, he said, it is his opinion that Alabama constitutes a crucial region for the comparison of negro criminality with that of other great industrial states. It is his desire, Mr. Hooton stated, to send an investigator to Alabama who will be allowed to take certain measurements and to acquire certain information about the inmates of the prison. This

investigator is Arthur T. Kelly, who was born and educated in the south and whom Professor Hooton says, is therefore, "qualified to deal in a tactful manner with negroes."

Professor Hooton stresses the point that the bureau is in no way interested in the investigation of prison conditions, and is concerned only with the collection of certain scientific data regarding criminals themselves, to be used exclusively in a statistical analysis.

A PLEA FOR JUSTICE.

The principal of the Tuskegee Institute, Dr. Robert R. Moton, has made an appeal for justice which will make an instant impression upon right-minded persons and nowhere more so than on the south, the natural homes of the negro, in this hemisphere. Dr. Moton called attention to the fact that negroes are often charged with crimes by the perpetrators for the purpose of shielding themselves, and he said:

"Two recent murders within the same week claimed front page space because of the mystery surrounding them and the cunning with which they were executed. One occurred in Alabama and the other in New Jersey. In the Alabama case a wife was killed and the husband's first statement to the officers was that a negro had committed the crime. In the New Jersey case a husband was killed and the wife claimed that negroes had committed the crime. Later developments have tended to show that in both instances the accusers were themselves the murderers."

Now, Dr. Moton does not attempt to excuse the criminals of his race. He knows, as well as anyone else, that the negro criminal is a drawback to his people, for a crime committed by a negro is only too often punished by a wholesale slaughter of innocent people. Fortunately this never takes place in the south, always in the north, which is the great admirer of the colored man around election time, but not at other times.

We have plenty of negro criminals as we have plenty of white ones. Probably in these bootlegging days, the negro is more often caught than his white employer, for he is at the still when the prohibition officer calls, while his white boss is off selling the finished product in the neighboring towns.

Of course, he ought not to be helping to make

booze in violation of the eighteenth amendment and the Volstead law. However, he has to live and if he gets a job at a still, it is a job and that is all he asks—enough money to get something to eat and buy some clothes. We would not exactly call him a criminal and shoot him in the back when he runs. Poetic justice would

seem to require that the white man who is the brains of the outfit ought to be the one who is punished.

Then in the commission of crimes there is a vast difference in the way crimes are committed—differences which tell at a glance that they were not committed by negroes. For instance, no negro ever knew anything of poisons, the favored method of some sections of the white race. He knows little of the dagger, but he does kill with a pistol when cornered, or a razor sometimes settles an argument in a crap game.

In the passing of the justice of peace system in Mississippi, in the creation of county courts, is one of the brightest hopes for justice for the negro who, like the poor, we always expect to have with us, therefore, the appeal of Dr. Moton should be taken to heart by all well wishers of the race which fate has torn away from its home in Africa, and brought to these southern states.

MURDERS IN THE SOUTH.

There is a great deal of significance to a survey of homicides during 1926 in 119 American cities, this survey having been made by The Spectator, a national insurance journal, and just released.

We have not seen the completed list of the ratios of cities on a 100,000 population basis, but The New York World publishes the following material as contrast:

Homicide Rate Per 100,000, 1926.

Fort Wayne	1.0
Schenectady	1.1
Grand Rapids	1.3
Worcester	1.6
Chicago	16.7
St. Louis	18.6
Detroit	25.3
New York	5.7
Memphis	42.4
Birmingham	58.8
Tampa	67.6
Jacksonville	75.9

For instance, Jacksonville had almost 76 murders during the year to one in Fort Wayne, almost 5 to 1 even in bloody Chicago, about 13 to 1 in New York. Tampa's record was almost as bad. Even Birmingham and Memphis showed enormous percentages over the great populous centers like Chicago, New York, St. Louis and Detroit.

Looking at the list as published it would appear that the southern cities are quite lawless when it comes to major crimes as against those of other sections.

These figures invite careful study, analysis and remedy. Is it because the murderer escapes justice more in the south than elsewhere, thereby lessening the deterring influence of the gallows or the chair? Can it be possible that mean, contraband liquor that will incite a man to sometimes kill his mother-in-law flows more freely in the south?

The southern cities deserve a better record than this. Jacksonville is a splendid city of commerce and industry and shipping, with a fine citizenship. Why should Jacksonville have five human killings to one in Chicago on a per capita basis? Surely the metrop-

olis of north Florida deserves a better record than this.

The total of murders in the 119 cities in 1926 was 3,451 persons. This is not a reproach on our civilization, but it is a reproach on the weakness of our criminal laws, the loopholes through which murderers can escape or indefinitely delay punishment and upon the administration of criminal laws.

Homicides are invited by such laws. It is safe to say in those states where the records are best the laws are strongest.

TELEGRAM

JUN 15 1927

MORBIDITY

We hear and read a great deal about the "morbidly curious"—the people that pack the seats during sensational trials, that rush to the scenes of shocking accidents, that like to get glimpses of gruesome things or carry away souvenirs of crime and horror. Are we really slipping backwards into a primeval or perverted state of mind?

There is plenty of evidence pointing that way, one must admit. To cite the very latest example, the body of Floyd Collins, the young man who died in a Kentucky cave, is to be publicly exhibited. The owner of another cave got permission to bury the body on his land, which was done in the ordinary manner. But no place was specified, and taking advantage of that fact he has dug up the body and put it down in the cave itself, where it can be seen on payment of the regular admission fee. Up at Bath before they could get the bodies out of the wrecked school-house sightseers were rushing in by thousands. It was the same when the airship Shenandoah was wrecked. It happens at every lynching in the South, and it would happen at every legal execution anywhere if they were public spectacles.

Pride and self-respect waver when we observe such things. One is apt to get pessimistic and to think that humanity, in America at least, is going down hill as re-

gards taste and decency. But, after all, it is not so bad as it looks. Appearances must be discounted, and certain other factors borne in mind.

To begin with, we must remember that the character of a people does not change overnight, nor in a decade, nor very much in a century. The habits, tastes and general mental attitude of a people are surprisingly constant. The typical British traits of Elizabeth's time are the typical British traits of today. A Frenchman of the same period would feel perfectly at home if he could come back. Spanish characteristics have not changed essentially since the days of Columbus, and not so very greatly since the days of Julius Caesar. As to our own people, they used to crowd around fires, wrecks and hangings two hundred years ago, in as large numbers as conditions in those days permitted.

And here we must recognize another big factor, the changed conditions. In those old days if a building collapsed in Massachusetts, or a man was lynched in North Carolina, people could not flock in from all parts of the province at fifty miles an hour over concrete roads. The news was not flashed by telegraph and telephone in a few minutes, and printed far and near in a few hours.

Nor were there so many people to flock. A hundred years ago even Massachusetts, where population was most dense, had only 70 to the square mile as compared with 500 today. The whole United States had only ten million people. A thousand people will furnish ten times as many "morbidly curious" as a hundred will—just as it will furnish ten times as many scholars, gamblers, poets or thieves.

And still another factor must be considered—we read about countless occurrences today that a century ago would have been unknown outside of their immediate neighborhood. If a crowd gathered to gape at a hanging in New England, or if souvenir hunters got pieces of a lynching party's rope in Georgia, it was not told in print the next day to everybody who could read between the two oceans.

Humanity's seamy side is exposed nowadays as it never was before. On the whole, we doubt if the ordinary traits of collective humanity have changed much in America

in a generation, or in several of them, or that what change there has been is for the worse. On the contrary there is good reason to believe that good sense and good taste have improved and spread more widely.

Good sense and good taste are partly inherent, but they are also due in part to environment—to the standard of living, education and culture. Surely the American people live much better than they formerly did, they are better educated, and their general standards of social life are higher. The advantages of education and better living have been enormously extended, and in millions of homes day we find the manners and habits that once were confined to limited class who were favored with wealth and special advantages. These factors must work for a higher average of good taste and

seemly conduct; if not, then civilization is a failure.

So let us give the crowds of morbidly curious their due, and also the great public that furnishes those crowds. Not all the curious are morbidly so; there is such a thing as a decent and intelligent curiosity. It is so quick and easy to go to the scene of a disaster that many go without realizing that they are getting into an unbecoming scene. The crowd at a sensational trial is not made up altogether of the morbid, coarse and prurient. And even when we are disgusted by the commercial exhibition of a corpse, or by souvenir hunters grabbing gruesome relics, we must remember that there are 120 millions of us now, and that such a large flock must have a certain number of black sheep.

The American people, by and large, are a very decent people—as decent as any on earth, and growing more decent rather than less so. If it sometimes appears otherwise, we must remember that no other people on earth are so eager and active in advertising their own shortcomings.

OUR 12,000 KILLINGS IN 1926

ONE PERSON IN EVERY TEN THOUSAND met a violent death in the 118 leading cities of the United States last year. To Chicago went the doubtful distinction of having the most homicides—510; New York City, with approximately twice the population of Chicago, had 340. In twenty-eight of the leading cities the rate was 9.9 per 100,000, as against 11.0 in 1925. "Slight as it is, the reduction is encouraging," observes the collector of these statistics, Dr. Frederick L. Hoffman, writing in *The Spectator*, a New York City insurance journal. "But," he adds, "our murder record of approximately 12,000 persons each year is a most serious indictment of American civilization, and evidence of lawlessness which has no counterpart in any other country in the world." As if to confirm the statement, the *Baltimore Sun* finds that there were only 17 murders in London in 1926, and that there were arrests in 16 of the 17 cases. In Dr. Hoffman's statistics, we are reminded by the *Baltimore paper*, no distinction is made between degrees of murder and voluntary manslaughter and justifiable homicide. All are included in death by violence.

"It will probably astonish most readers," notes the *Providence Journal*, "to learn that in the matter of homicides, Jacksonville, Florida, headed the list of American cities, having a rate of 75.9 per 100,000 population." Tampa, Birmingham, and Memphis come next on Dr. Hoffman's list. In an effort to learn just why these prosperous Southern cities led the other 114, telegrams were dispatched to several newspapers. According to the *Jacksonville Florida Times-Union*:

"Jacksonville's rate is going to be better the next time an inquiry is made. Already, within the present year, there has been noticed a speedier handling of criminals, and juries have been found that would convict, and judges unafraid to rule for the safety of the people and against the wrong-doers who have violated laws of God and man.

"A movement is under way to reduce crime in Florida. The legislature in session recently took cognizance of the need for more stringent laws regarding serious crimes and did what was possible to bring about changes. Florida is undertaking to check the crime wave through every possible means, and proposes to give speedy trial to those evil-doers who are apprehended and to award such penalties as will be effective in preventing repetition where convictions are obtained.

"Perhaps the placing of the record clearly before the people may bring about a better state of affairs, through sectional and State and city pride."

Replies were not received from Tampa and Memphis, but the staggering killing record of these and other Southern cities, believes the *Baltimore Sun*, "is due to their large negro population." Says the *Birmingham News*:

"The announcement that Birmingham ranks fourth among American cities in the proportion of homicides to population in 1926 is a summons to serious thinking and sound action which this community should not fail to heed.

"In the light of the record of 124 murders, the question suggests itself: 'Have we been so intent on capitalizing the resources and opportunities at hand, that we have lost sight of larger values?'

"The social implications of the situation are easily grasped. This is in many respects a pioneer city. In less than a generation, it has changed from a small town to a great metropolis. It has drawn to it a large body of people from the farm, the factory

and other fields. It is continuing to act as such a magnet. The presence of uprooted folk, finding themselves in a strange environment, of industrial transients, constantly on the move, has made for a certain flux. The city's life is not yet crystallized—we have not yet found our soul—the process of stabilization checked by accessions of populations and interests, has not yet given Birmingham the character and form which is described by the term 'settled down.'

"In the hectic atmosphere generated by such a social situation, the things which make for crime, the forces which drive toward bloodshed, are likely to inflict themselves on the life of the city, unless ample preventive measures are taken by the authorities."

Just why there should be 104 homicides in Jacksonville, a city of 137,000, and but two in Grand Rapids, a much larger city, "is a question worth a good deal of study," thinks the *New York World*. To cite another instance: There were 75 homicides in Memphis, a city of 177,000, but only three in Worcester, Massachusetts, a city of approximately the same size, according to Dr. Hoffman. The *Atlanta Constitution* gives us a Southern view of the problem:

"These figures invite careful study, analysis, and remedy. Is it because the murderer escapes justice more in the South than elsewhere, thereby lessening the deterring influence of the gallows or the chair? Can it be possible that liquor flows more freely in the South?

"The Southern cities deserve a better record than this. Jacksonville is a splendid city of commerce and industry and shipping, with a fine citizenship. Why should Jacksonville have five human killings to one in Chicago, on a per capita basis?

"The total of murders in the 118 cities in 1926 was 3,451 persons. This is a reproach on the weakness of our criminal laws, the loopholes through which murderers can escape or indefinitely delay punishment, and upon the administration of criminal laws.

"Homicides are invited by such laws. It is safe to say in those States where the records are best the laws are strongest."

Certainly, agrees the *Detroit News*:

"It is significant that in Massachusetts, which has quite a large foreign population, where judges are appointed by the Governor to hold office during good behavior, and where justice is comparatively swift, the homicide record is low. It may be that a study of the Massachusetts system would be a wise first step for Michigan and other States to take."

"Of all the large cities, Boston has the lowest homicide rate," we are reminded by the *Boston Post*. Moreover, points out the *Providence Journal*, "it is not the largest cities that have proportionately the most murders." Continues *The Journal*:

"There are far too many murders in the United States every year, and this disagreeable prominence among the nations of the earth is pretty sure to continue until some drastic readjustment is effected in our administration of criminal justice."

Some of the reasons for the unwholesome distinction which the United States enjoys in the matter of homicides, declares the *New York World*, are "the mawkish sentimentality shown by the



THE MAN ABOUT TOWN

—Fitzpatrick in the St. Louis Post-Dispatch.



NICE KITTY!

—Evans in the Columbus Dispatch.

public toward murderers, the tortuous working of the law, racial enmity, and the general sale of firearms." One of the underlying causes of the murder tendency, declares Dr. Hoffman, is the

"enormous increase in wealth." To quote from his report in *The Spectator*:

"Our enormous increase in wealth is in itself one of the underlying causes of the murder tendency. Temptation to murder, as well as to less violent crimes, increases on every hand. Methods of murder are becoming more refined, more subtle and more difficult of detection. It is unquestionably true that murder in this country has become an established trade on the part of many. Police protection should not be in proportion to population, but in proportion to wealth and the accumulation of property. The best hope for the future lies in better law enforcement, in speedier trials, and in sentences more appropriate to the nature of the crime committed."

"The tabulation in detail for 1926 concerns 118 American cities. The combined homicide death rate of these cities for 1926 was 10.1 per 100,000, as compared with 10.5 for the previous year. The homicide death rate increased in 37 cities and either remained stationary or declined in 81 cities. This, then, can be looked upon as evidence of progress. No homicides were reported in 18 of the 118 cities. The cities without homicides during 1926 were:

"Altoona, Pennsylvania; Binghamton, New York; Cedar Rapids, Iowa; Chelsea and Gloucester, Massachusetts; Hamtramck, Michigan; Haverill, Massachusetts; Hoboken, New Jersey; Lansing, Michigan; Malden and New Bedford, Massachusetts; New Britain, Connecticut; Newton, Massachusetts; Newport, Rhode Island; Pasadena, California; Salem and Somerville, Massachusetts; and Troy, New York."

"It is gratifying to be able to note a slight decline in the murder death rate of Chicago, which in 1925 had a rate of 18.8, against 16.7 during 1926. There was also a decline in the murder death rate of New York City from 6.4 to 5.7 per 100,000 of population, while for the city of Philadelphia, the rate declined from 9.7 to 8.6."

"The cities in which the rate for 100,000 population was 18.0 or more are these:

1926	Mobile, Ala.....	28.4
Jacksonville, Fla.....	Louisville, Ky.....	26.7
Tampa, Fla.....	Houston, Tex.....	25.8
Birmingham, Ala.....	Detroit, Mich.....	25.3
Memphis, Tenn.....	Sacramento, Calif.....	21.8
New Orleans, La.....	Pueblo, Colo.....	20.5
Kansas City, Mo.....	Kansas City, Kans.....	18.8
Dallas, Tex.....	St. Louis, Mo.....	18.6
Charleston, S. C.....	Cincinnati, O.....	18.2
Nashville, Tenn.....	Winston-Salem, N. C.....	18.1

WHY THERE IS LESS CRIME IN EUROPE

COMPARISONS ARE NOT ALWAYS PLEASING, and American newspaper editors, it seems from a survey of their editorials, get scant comfort out of the recent statement of Dr. Louis N. Robinson, of the National Crime Commission, that Europe excels the United States in its methods of dealing with criminals. Dr. Robinson, who has just returned from a study of penal institutions in England, Belgium, Holland, and Germany, takes the ground that reasonable mild penalties on a large proportion of lawbreakers, as practised abroad, is much better than "punishing severely an insignificant fraction of our criminals," which he intimates is the rule in the United States. Professional criminals in Europe, we are told, are held in check by the certainty, not the severity, of punishment. There is no "coddling" of prisoners, neither is there a tendency to return to the harsher methods of the

past, Dr. Robinson finds. Police and prison officials are free from politics, and the codes of criminal law procedure have been purged of empty technicalities according to this experienced observer. Trials are expeditious and businesslike. Money and influence are of no advantage to a criminal.

"It is well known," notes the *Wichita Eagle*, "that there is less crime in Europe than in the United States." Dr. Robinson's explanation, as quoted in *New York papers*, is this:

"Tho there is no let-down in Europe in the general attempt to make punishment for wrong-doing swift and certain, the thing that strikes one's attention is the absence of any tendency to turn to more severe penalties or to a harsher prison régime in the effort to stamp out crime. Everywhere there is manifest a movement to soften the asperities of the penal law and to mitigate the former harshness of prison discipline. The long sentences recently imposed by certain American judges are regarded by European students as a return to the cruelty of the Middle Ages, and a further increase in the barbarities of our prisons is difficult to explain to those Europeans."

"The question will now be asked: On what do European countries rely to keep down crime? Leaving out of account those social ameliorations of which both Europeans and Americans are fully conscious as tending to lessen crime, I would say that the main reliance is on the police. In other words, while we Americans seem to think that crime can be held in check by punishing severely an insignificant fraction of our criminals, Europeans believe that it is far more effective to impose reasonably mild penalties on a large proportion of those who offend."

"A short time ago an investigation in two of the leading cities of Missouri revealed the fact that, whereas information had been laid before the police concerning some 14,000 major felonies, arrests had followed in only 8 per cent. of the cases. Worse—it was shown that a total of only 3 per cent. had been found, or had pleaded, guilty."

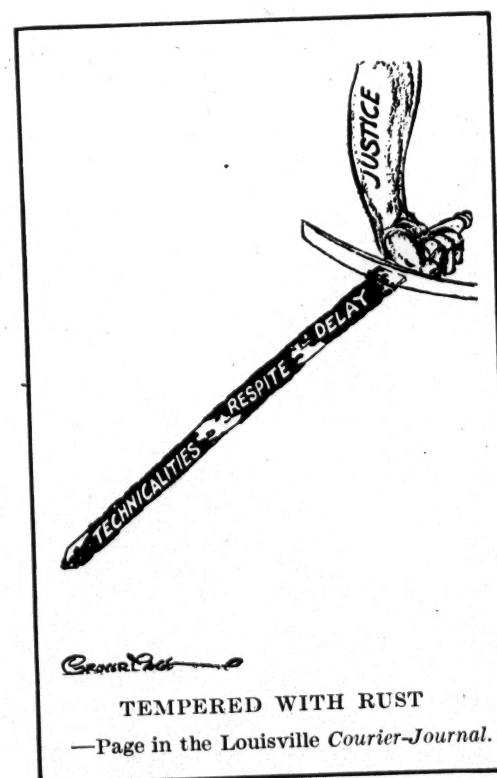
"To trust to the efficacy of punishing severely the 3 per cent. while allowing the 97 per cent. to escape scot-free would scarcely appeal to a European as an example of our boasted efficiency or our hard common sense. They, on the contrary, have built up non-political police forces that make it decidedly risky for an individual to engage in crime."

"The second thing that impresses the visitor to European prisons is the existence, in the care and treatment of prisoners, of a standard of care steadily and faithfully maintained. To throw out the entire staff of a prison from the warden down to the lowest guard simply to make places for the friends of the incoming administration, and to have this process repeated over and over again as has been done in many of our States, is a thing utterly abhorrent to the European's notion of public administration or of proper public protection of society from crime."

"Dr. Robinson's report," thinks the *Asheville Times*, "should

be helpful to all Americans who are engaged in the search for more effective methods of dealing with crime in the United States." The efficiency of European police forces, as compared with American is, in the opinion of the *New Haven Register*, "perhaps the most striking thing in the entire document." It is obvious to the *Nashville Banner* that "we need something different; our present *modus operandi* is anything but a success." Particularly, suggests the *Omaha World-Herald*, should something be done about the law's delays "which enable the man with wealth to place obstacle after obstacle in the way of punishment, until prosecutors grow tired and the public indifferent." "The weakness of American criminal law has been recognized for years," points out the *Indianapolis Star*, "but, like the weather, nothing is done about it."

Taking New York City as an example, however, many Amer-



ican editors recall the recent report of the Police Commissioner, in which he recorded a marked decrease in crime, and attributed it to the severity of the so-called Baumes laws for the punishment of habitual criminals and to the efficiency of the police force. Long sentences, and even life imprisonment is the only thing that will deter the hardened offender, believes the *St. Louis Globe-Democrat*, and the *Des Moines Register* agrees that "it will not do for us to make the mistake of turning back on all we have learned about the handling of lawbreakers." "The Baumes laws," we are reminded by the *Buffalo Courier-Express*, "were passed because it was found that we were dealing altogether too leniently with our criminal element."

The reference in the Robinson report to "unnecessary harshness in the treatment of American prisoners" looks like "a real discovery" to the *Detroit Free Press*, "in view of the general impression that excessive leniency, sometimes amounting to the coddling of criminals, is precisely one of the chief weaknesses of our system of punishment for crime." As for the part of the Robinson report which says that: "Europeans rely upon their police, rather than upon their prisons, to keep down crime," the *Richmond Times-Dispatch* says in reply:

"There's nothing wrong with the criminal laws of the States or of the United States; so far as the detection of persons who have committed crimes which fall within the category of *malum in se* is concerned, there's nothing wrong with the police of the States or of the United States. When the vast expanse of the United States is compared with the densely populated countries in which Dr. Robinson investigated conditions, the American police are as able and keen as the police of any other country.

"What Dr. Robinson has overlooked, apparently, is the difference between the administration of the criminal laws in the United States and in other countries. It isn't the fault of the laws in the United States that offenders go unpunished; it isn't the fault of the police; it isn't because of milder penalties in Europe than are provided in America that criminals are punished in Great Britain and on the Continent who would go free in America. As a matter of fact, the English criminal laws from which our own are derived are quite as severe as ours.

"The difference is that the criminal laws are more laxly administered in the United States than in any other civilized country in the world. Our whole system of criminal jurisprudence is maintained in such a manner as to throw every safeguard around the criminal to protect him from society, rather than to throw every safeguard around society to protect it from the criminal. Our Legislatures enact adequate laws; our police execute them; then our system of criminal trials, with its sentimentality and its mush and its play-acting by lawyers and its demurrers and its hair-splitting and its expert evidence and its coined phrases of excuse and palliation, casts the offenders loose."

ADMINISTRATIVE COST OF CRIME

A question of perennial importance to laymen and specialists alike in this country over is that of the so-called crime wave. On account of its importance, any study of crime should be of value not only for the interest such a study may engender, but also for the possible light it may shed on the actual situation as it exists at any particular time or in any particular locality.

Lee M. Brooks of the Institute for Research in Social Science has made a penetrating study of the Administrative Cost of Crime. The first part deals with the cost of crime for the United States as a whole, while the second part is in the form of a case study of a particular county and city in North Carolina. The following is a brief review of his findings.

Cost in the United States

Although definite figures relating to the total cost of crime in the United States are unobtainable, recent estimates place the figure at ten billion dollars a year. Studies which have attempted to investigate the ultimate cost of crime indicate that the country is losing through criminality each year a sum sufficient to replace all the public school and college property now standing, together with eight hundred million dollars in college endowments. How accurate these estimates are there is no way of determining since only fifteen states make any effort toward centralized record keeping and statistics in connection with crime. Whether or not ten billion dollars a year includes every imaginable cost of crime, it is certain that the administrative cost forms only a relatively small

percentage of such a vast total. It is possible that by spending more on police and in building adequate institutions a great ultimate saving would be achieved.

The Police

Although a part of the expenditures for police goes to maintaining traffic regulations, still the traffic policemen as a rule are also engaged in detecting crime so that the entire cost of police supervision may be directly chargeable to crime. On this basis the cost of police for the urban population in the United States is in the neighborhood of \$150,000,000 annually. The number of policemen and policewomen in the United States according to the 1920 census was 81,884 and 236 respectively. During the last census period there was an increase of 32 percent in the police force of the country as compared to an increase of only 15 percent in the total population. There are now approximately 100,000 policemen in the United States.

The Courts

Costs for police can be determined with relative accuracy but for the courts estimates must suffice. The belief is prevalent that criminal procedure is not only expensive, but wasteful, slow, and inefficient. Chief Justice Taft made the statement more than fifteen years ago that "the administration of criminal law in the United States is a disgrace to civilization. The trial of a criminal seems like a game of chance with all the chances in favor of the criminal, and if he escapes he seems to have the sympathy of a sporting public." Waste of time and money occurs through antiquated court organization and procedure, and in the selection of juries, all of which means slow trials. Certain steps looking to the improvement of criminal courts and procedure have recently been undertaken in several cities. In 1920 Detroit, by unifying its criminal courts, saved the taxpayers of that city more than one and one-half million dollars. Another innovation which has reduced expense in many cities by speeding up trials, is the office of Public Defender.

Penal Institutions

According to Sutherland, the number of detentive, punitive, and correctional institutions in the United States is about five thousand. Of these from three thousand to four thousand are county jails, while there are about one

hundred and sixty Federal and State prisons, reformatories, and penitentiaries. According to the Department of Commerce the estimated number of

prisoners in the United States on July 1, 1922, was 163,889. From one and a half to two and a half percent of the total population of the country are to be reckoned as regularly or occasionally delinquent. In other words the anti-social element among our population is somewhere between 1,600,000 and 2,750,000. For the reasons already mentioned it is obvious that any estimated cost figure for penal institutions would be as far from satisfying as it would be from accurate.

In Durham County

The second part of Mr. Brooks's study is concerned with an analysis of the administrative cost of crime in Durham County, North Carolina, for the years 1923, 1924, and 1925. The items covered in the study include the police, court, and penal departments. No attempt was made to reckon the social costs. The review will serve to show how similar studies can be made in other counties.

Durham County, located in the north central portion of the state, had a population in 1925 of 49,719 according to Health Department figures. In the city of Durham are to be found eighty-five percent of the population of the county. The different offices, courts, police headquarters, and jails for both the city and the county are located in the county court house. Just outside the city of Durham are the new buildings of the convict department, the county home and workhouse.

The Police Department

For the years 1923-1925 and including the budget for 1926, the annual net average outlay for crime was \$49,078 or \$1.14 per capita for the population of the city of Durham. Similar expenditures for the Sheriff's department, which includes supervision of the rest of the county, were \$9,965, this latter figure being largely an estimate. In other words, the total cost for police supervision in Durham County amounted to \$59,043 annually or a per capita cost of \$1.23 a year for the three-year period studied.

While the cost of maintaining the police is greater than the other administrative functions, police officers in Durham, as elsewhere, were not re-

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Law Observance Now Will Fight Law Defiance.

Positive steps in a militant movement for Law Observance, in opposition to the movement for Law Defiance as conducted by various organizations and many State and lesser officials, were instituted last Thursday by the National Citizens Committee of One Thousand for Law Observance at its annual meeting and banquet, held at Washington. This committee will encourage observance and will demand enforcement of the Eighteenth Amendment, and the Volstead Enforcement law in particular, as outstanding statutes now defied by lawless elements.

Manufacturers Record
As all laws are enacted at the instance of a majority of the people, this majority usually becomes content and quiescent when its laws are placed on the statute books. In faith and confidence in the integrity of officials sworn to enforce the laws, it turns its attention to other business and goes on its way unworried. A minority invariably is discontented, and frequently is rebellious. So always is it vocal in its protest against majority rule, and often is aggressively recalcitrant.

1-13-27.
Thus minority opposition to Prohibition, almost unchecked, has assumed threatening and almost alarming proportions. A great organization, generously financed, has been active politically and by propaganda in a movement for sterilization of the Volstead law and repeal of the Prohibition Amendment; Federal officials have been at least tolerant in many instances of violation of the law; enforcement responsibilities and activities have been placed by members of Congress in the hands of men notoriously unfitted for enforcement work; more than one high State official has assumed a leadership in the crusade against Prohibition; local officials have fallen into line behind them, and even the press in large measure has given aid and stimulus to the law-defying element through its news and editorial columns. The minority opposition to Prohibition has developed into actual law defiance and a menace to the safety and integrity of the nation.

Baltimore Md.
Now the advocates of law observance will become active. No longer is the disgruntled minority to preach discontent and defiance unopposed. To such a pass have conditions come that this militant defense of law and order has become necessary to preserve the Union. The best defense is an aggressive defensive, say tacticians, and this policy the Citizens Committee will adopt.

Composed of leaders in national industry and finance, in the professions, labor circles and other groups—the Citizens Committee of One Thousand, in goodly numerical representation, assembled at the Willard Hotel for luncheon, business session and banquet. Among the speakers and guests were Senator Morris Sheppard of Texas, Senator William E. Borah of Idaho, Secretary Curtis D. Wilbur of the Navy Department, Gen. Lincoln C. Andrews, Assistant Secretary of the Treasury in charge of Prohibition enforcement; Col. Raymond Robins and William Green, president of the American Federation of Labor. Col. P. H. Callahan of Louisville, an industrial leader in the South, acted as toastmaster.

As his contribution, President Coolidge sent a letter, in which he said:

"I want you to know that I regard the observance and enforcement of the law as exceedingly important to the public welfare of the nation. It is scarcely too much to say that all our rights, our liberty and life itself are dependent for their protection on public law. If it fails to be enforced, Government itself fails. If it fails to be observed, the very foundation on which self-government rests is weakened and destroyed. Anything that your organization can do to impress this principle on the public mind will be a distinct patriotic service."

Whereat the committee adopted a resolution endorsing declarations of President Coolidge on law enforcement in his message to Congress and calling on the people "to elect and support such officials" in order "to insure our national well-being."

In sounding the keynote as toastmaster at the banquet, Colonel Callahan said, in part:

"Violations of the Prohibition laws need not surprise anyone, for the liquor interests have always violated the law. Because of increased violations of the Prohibition Amendment and the Volstead Act, good citizens, whether they are wet or dry, must see that the law is observed and enforced. The present situation is of greatest concern to the destiny of our country."

"In the State of New York there was enacted the Baum Act, specifying severe sentences for certain types of offenders, which has brought about a most remarkable improvement in eliminating perhaps 50 per cent of hold-ups, burglary, larceny and similar crimes. On the contrary, we find throughout the country less respect for the Eighteenth Amendment and the Volstead Act than heretofore, resulting in more violations and more incarcerations for the violations of these laws than in previous years. My efforts, for this reason, are largely directed to the enforcement of our present liquor laws."

"As I come from Kentucky, where the manufacturing of distilled liquor was our principal industry, and waging a warfare against activities political as well as the violations of the liquor people for so many years, the present condition of affairs is not a great surprise to me. Even before the days of local option there was never any respect by the liquor interests for the laws and regulations prepared to save the community from this evil. Beginning with closing hours and the elimination of 'ladies' entrances' there has been by them a constant disregard and a violation of every regulation and every law that was made to regulate this traffic. It would be a surprise if any other condition than that existing at present should prevail."

"It need not be argued before an audience of this character that liberty must necessarily be regulated or we will be encroaching on the liberties and privileges of others. While all groups of people dislike being regulated, they all, with the exception of the regulation of liquor, soon or late become reconciled to it. When the Interstate Commerce Commission legislation was made law the railroads resisted and pleaded against its enforcement, but gradually and in a short time adapted themselves to those regulations. Even the banks resisted at the beginning the Federal Reserve Act. Now we find no one praising it more highly."

"The Prohibition Act never had anywhere near the opposition that confronted those other measures. The Eighteenth Amendment was passed upon favorably by 46 out of the 48 States of our Union, but the opposition has steadfastly refused to accept this law. Different from the railroads and the bankers, the present opposition was not confined to expressing their opinion or taking the regular procedure for reconsideration, but began immediately, as with all the other regulations and laws on liquor, to urge and practice violations of the law. This has never been attempted by any other group or against any other regularly enacted statute."

"We are therefore confronted at this time with a situation that is of the greatest concern to the destiny of our country. It is contrary to the doctrine of Thomas Jefferson, which denounces special privileges."

"It is not only my personal knowledge, but it likewise must be known to all of us, that during the war, and especially when the Government in Russia collapsed, there were a great many people in this country very much disturbed over the change in economic views in some of the countries. Some of the propaganda was received and discussed here. These people placed their sole hope in the protection afforded them by the Constitution of our country, or rather an amendment thereto, that no one can be deprived of his property except through due process of law. A very large proportion of our citizenship think just as much or more of the Eighteenth Amendment and feel that it must be respected with the same degree of completeness as any amendment guaranteeing property, which, at best, is merely a material thing and is not as close to the hearts of all the people as something concerning our moral and spiritual welfare."

"When one group of citizens can take it upon themselves to differentiate, or rather to have a divided allegiance to one portion of the Constitution as against another portion, it certainly opens the way for people dissatisfied with our economic arrangement to justify themselves by precedent and example to have little or no respect for the Fourteenth Amendment and other portions of our Constitution."

Warning was served on political parties by Senator Sheppard, a Democratic leader of the dry forces, that disregard of Prohibition sentiment will seriously impair their influence in the nation. "Guiltier than bootleggers and professional criminals are the purchasers and drinkers of illegal liquor in social and business circles," was one of his declarations. "Ingrates," he characterized them, "because their property and liberty are protected by the Constitution they violate."

As to the wets, he declared that if they once got a majority in Congress they would destroy the Eighteenth Amendment by changes in the Prohibition laws, under the guise of enforcing it. The greatest tribute to the Volstead Act, he contended, is the fact that four Congresses have been elected since its enactment and it still has the support of tremendous majorities.

"Light wine and beer were the chief offenders of human decency and human welfare in the days before Prohibition," said Senator Sheppard. "Men and women, boys and girls who went to hell by the alcoholic route started nearly always on light wine and beer. The great majority of American people are loyal to the law, and whether wet or dry believe in law observance and enforcement of all laws."

Senator Sheppard paid tribute to the character and type of men and women who have been engaged in Prohibition enforcement, and at the conclusion of his address he asked those present to stand in honor of the 50 Federal Prohibition officers and State officers who have been killed in enforcement work since Prohibition became effective, in 1920.

After emphasizing the necessity for upholding the Constitution if the United States is to continue, and quoting George Washington on law observance, Senator Sheppard said:

"Guiltier than the professional criminals with whom they indirectly or directly deal are the purchasers and drinkers who move in social and business circles, without whom the bootleg market would disappear; guiltier because opportunity, education and position make their conduct all the more without excuse; guiltier because they cover their contempt of Government and law with a cloak of so-called respectability."

When they break one law, they invite the violation of all other laws. When they make the existence of the bootlegger possible today, they cannot be heard to complain, they cannot consistently invoke the protection of society when the burglar, the rapist or the murderer invades their homes tomorrow. With their property, their liberties and their lives safeguarded by the Constitution, they become ingrates as well as law-breakers when they disregard it.

"Lawbreakers in high places do more to undermine the foundations of order and progress, to encourage communism, bolshevism, anarchy, crime and red activities in general than all the denizens of the underworld. Their example is the chief cause of dissipation and lawlessness among younger people. The exuberances of youth, however, are soon exhausted. The realities and necessities connected with the earning of a livelihood nearly always form a sufficient antidote for them. It is the older 'flapper' among the women, and the older 'flopper' among the men who constitute the incorrigible and noisy minority and who are the main source of whatever trouble there is.

"Accurately may it be said that no statute in the history of the American Congress has been subjected to severer analysis and attack than the Volstead Act. The wets well understand that, whereas it takes two-thirds of both houses to submit and three-fourths of the States to ratify a repeal of the Eighteenth Amendment, the Federal statute which enforces it, namely, the Volstead Act, may be changed at any time by mere majorities in both houses. If the wets at any time should obtain majorities in both houses of Congress they would not hesitate to destroy the Eighteenth Amendment by the changes they would make under the guise of amendments to the act enforcing it. This is shown in the

constant efforts of the wets to amend the Volstead Act so as to secure light wine and beer. The Constitution of the United States prohibits intoxicating liquors. Light wine and beer intoxicate. Ergo, any statutory provision for light wine and beer while the Eighteenth Amendment remains is violative of the Constitution of the United States.

"The final test of the efficacy of the Constitution lies in its adequate enforcement. If it is to remain a living factor in our civilization, the vigorous and vigilant application of the laws enacted to carry out its provisions is essential. The supremacy of the Constitution and the law is the cause of every true American, wet or dry."

Senator William E. Borah spoke on two lines—on political corruption through "the employment of fabulous sums of money for the purpose of controlling elections and the astounding malfeasance in public office," and on the attempt to make the Prohibition Amendment "a dead letter" by those seeking "to nullify it and trample it under foot." Speaking of the attacks on Prohibition law observance and enforcement, he said: "The most significant and startling feature of this unwelcome phase in our national life is the proposition to elevate lawlessness into a principle of Government and clothe it with all the sanctity of an inalienable right."

First saying that "the saloon is as dead as slavery," Colonel Robins added: "No national political party dares to put a wet plank in its platform. Dr. Nicholas Murray Butler never peeped about modification at the last National Republican convention, because he knew the sentiment was overwhelmingly dry and it would be turned down cold. Governor 'Al' Smith and Governor Ritchie, though they had many days to do it, never urged the Democratic convention to become wet and stand for the return of liquor, because they knew it was no use, as they would be overwhelmingly outvoted.

In connection with this pamphlet is another smaller circular giving many details in regard to that community and to the remarkable series of lectures, operas and other entertainments which are given in the great auditorium, seating about 2500 to 3000 people. This auditorium is in itself an extremely interesting and unusual proposition. It was built for the benefit of the community by a few far-seeing men who erected it at their own expense as a community gift for the cultural upbuilding and entertainment of the permanent residents of Daytona Beach, as well as for the tourists. It is not run for profit. It has the largest Open Forum in the United States, and this forum annually during the entire winter has on every Sunday afternoon a speaker of nation-wide fame. After the address the meeting is open to the public to ask any questions that anyone may desire to throw at the speaker, and it becomes an open forum indeed.

Last winter for the first time the auditorium people gave to the community for a full week the benefit of grand opera, with many noted artists. A similar course will be given this year. Probably in no other community of its size in America is it possible to find such educational and cultural attractions and advantages as are to had every winter season in Daytona Beach. In that respect the community, through the liberality of a few of its winter residents, sets an example for the entire country.

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ceiving salaries sufficient to attract the more capable men into the service. Salary increases came only with promotion and were not contingent upon length of service as is the case in a considerable number of other cities.

The Recorder's Court

The cases tried in this court are those common to the municipal courts where the judge does not have power to sentence offenders above the scale of misdemeanors. In 1925 the court tried 4,751 cases as compared with 2,701 in 1921. Although the increase in the population for the county in the five-year period was only twenty percent, the number of cases appearing before the court increased seventy-five percent in the same period. The running expense of the Recorder's Court is approximately nine thousand dollars a year. However, this is more than offset by receipts from fines and costs.

The Superior Court

The Superior Criminal Court holds six sessions of one week each during the calendar year, while the Superior Civil Court meets for a total of nine weeks composing five or six sessions. No separation is made of civil and criminal costs and fees, and therefore the figures given are only estimates. The criminal cases were estimated to comprise about forty percent of the court's expenditures. The estimated average

annal cost of superior court crime for the three-year period was \$11,180. Of this expense the jury made up the largest single item with approximately sixty-three percent going for this purpose. The average number of criminal cases in the three-year period was 456 making the average cost about \$24.50 for each criminal case.

The Penal Department

The penal department of the city and county of Durham is composed of the city and county jails, the workhouse connected with the county home, and the county convict camp. The upkeep

of the city and county jails averaged about \$200 and \$3,042 respectively per year for the three-year period. The county convict camp was erected in 1925 at a cost of \$95,000. This is a brick building, well arranged, and one of the finest in the state. The convicts are used primarily for road work and rock quarrying. With the number of convicts in the county ranging from 75 to 150 in the period studied, there is reason to believe that the camp produces a favorable yearly balance. For Durham county the administrative functions in connection with crime cost the county approximately \$75,000 annually.

The main points in connection with the findings in the study are: The

police department forms the bulk of the administrative cost of crime, constituting as it does from seventy-five to eighty percent of the total administrative cost (as was found to be true in the recent Missouri Crime Survey). The immediate suppression and control of crime depend upon a reformed court procedure as well as upon a liberal outlay of money for the police and penal departments, an expenditure sufficient to produce in those departments the maximum of efficiency which in due time shall result in a lower figure than now stands for the cost of crime.—A review of the Administrative Cost of Crime with special Reference to Durham County by Lee M. Brooks.

THE GROWTH OF CRIME

The Census Bureau announces figures showing that crime, as evidenced by admissions to State prisons, is growing faster than the population of the United States. Reports from thirty-one States covering fifty-eight of a total of ninety-nine State prisons and reformatories listed 27,018 new prisoners admitted by these institutions in 1926, as compared with 21,054 in 1923, or an increase of 28.3 per cent. There were 34.1 prisoners per 100,000 population jailed last year, as against 27.9 in 1923.

The total number of inmates in fifty-eight institutions last January 1 was 63,828, as compared with 47,578 on January 1, 1923.

These figures indicate a large growth in crime, but one may not draw conclusions from them easily. More detailed information would be necessary before one might determine the rate of increase in crime, and whether or not the prison census affords grounds for alarm. Much would depend, for instance, on the figures for the various classifications of crime. If the increase in number of prisoners is due mainly to convictions for minor offenses there would be less cause for alarm than if major crime is chiefly responsible. Again, the prison census figures may mean that more criminals are being caught and convicted, rather than that crime itself has increased so greatly.

There is plenty of evidence aside from the prison census, however, that crime is mounting in this country, or has been in the last few years. It may have reached the turning point by now. Let us hope that it has.

A MERITORIOUS APPEAL.

Dr. Robert R. Moton, principal of Tuskegee institute, calls attention to the fact that negroes are often charged with crime by perpetrators who take advantage of shielding themselves by appealing to race prejudice. He says:

"Two recent murders within the same week claimed front page space because of the mystery surrounding them and the cunning with which they were executed. One occurred in Alabama and the other in New Jersey. In the Alabama case a wife was killed and the husband's first statement to the officers was that a negro had committed the crime. In the New Jersey case a husband was killed and the wife claimed that negroes had committed the crime. Later developments have tended to show that in both instances the accusers were themselves the murderers."

Dr. Moton does not attempt to excuse the criminal element in his own race. There are negro criminals—too many of them—just as there are too many white criminals.

They contribute to the backwardness of the race and to the propaganda against the race. But it is a compounded felony for any white perpetrator or instigator of a crime to attempt unjustly to fasten crime upon a negro simply because, in communities, racial prejudice against the negro can be so easily aroused.

The negro race is advancing, in spite of prejudice. It is well for the south that this is so. And we believe that southern sentiment is more kindly disposed to the negro than at any time since the days of slavery.

The honest, trustworthy and respectful negro has the esteem of the white race.

This was recently demonstrated at Tennille, Ga., when young white men of the town acted as a funeral escort for a respected negro school janitor who had died. A white minister officiated at the services. The casket was covered with floral wreaths as tribute of esteem from white citizens.

Dr. Moton's appeal for justice in the matter of which he writes will be approved by all good citizens.

Observations

South America on Barbarities of U. S.

By EVARISTO DE MORAES

[In the Correio da Manhã, Brazil]

The end of the Sacco-Vanzetti case with the electrocution of the two anarchists caused surprise only to those who never thought of the North American mentality or to those who forgot significant manifestations of that mentality. Only to those inexperienced ones it seemed rather extraordinary that the leaders of that powerful republic did not acquiesce to the universal request in behalf of the condemned men. In reality, however, the attitude maintained there by the judges and by the public officials corresponds exactly with a certain way of thinking from which are excluded from the start kindness and indulgence, which sentiments are proper in a perfect moral culture.

Such is the influence of these sentiments—main factors of civilization—and they influence to such an extent the appreciation of any human body, that there have already been some who have refused to call civilized those who did not possess these qualities. And in this regard—why not be frank?—the marvelous and truly admirable material progress of the United States does not prevent their being censured for the lack of real civilization, which is only recognized in a society in which are combined all the real progresses and in which men, dominating nature's force, also succeeded in restraining his instincts and caused him to forget his dislikes for the sake of complete harmony. However, such is not the case in a country where race and religious intolerance predominate, giving place to savage acts in persecutions and ridiculous accusations.

No one ignores what happens, especially in some of the southern states, with the individuals more or less related with the black race. From the darkest Negro to the lightest Mulatto, no matter whether he is intelligent, virtuous or useful to his white countrymen, he does not deserve any consideration or respect. He is not really a man, although the laws and the Constitution may have conferred on him the rights of a citizen. Therefore he is not entitled to the protection of the common laws nor subject to the special laws, and is deprived of human consideration. If an offense or crime—no matter how small—is committed against a white person, the case is not always submitted to the tribunals. Frequently they are lynched, beaten, torn to pieces, burned alive in a public square before the immovable authorities who tactically approve it. Do not believe that lynching of black men has decreased. It did not help the representatives of the black race who so generously contributed with

The Trend of Current Thought and Discussion

blood and money so that the United States could efficiently collaborate in the European war. After the victory the impartial newspapers cited cases in which black soldiers had been lynched without mercy, although still dressed in the uniform in which they had been defending their country in the French trenches!

And now an impartial writer, Oliveira Lima, states as follows: "In the industrial centers of the North and the Middle West the immigration of Colored people has caused considerable trouble and the number of lynching cases in the South increased from 16 in 1925 to 29 in 1926—in other words, almost doubled."—Jornal do Brasil, Aug. 24, 1927.

In several states there are prohibition laws, under penalty of jail and fine, against marriage between persons of different races, and if such marriages are verified they are annulled, even though the persons may have children.

The North Americans do not recognize the grave iniquity which consists in punishing the children for the mistakes of their parents.

Also, in more than one southern state there still exists slavery among the so-called laborers. A scandalous process and a well-known book written by a sincere white North American did not leave doubt but that black men are enslaved, especially in the cotton fields, without having any personal liberty, and jailed for debts increased, which chain them to the property for the rest of their lives. It was verified that a certain plutocrat, a farmer, in order to get rid of a victim and witness drowned her. And it was this case that brought about the process referred to, which brought to light this and many other inhumanities.

Anyone who may think carefully for a moment will note the great predominance of race and religious intolerance by the reappearance during the last few years of the infamous Ku Klux Klan.

This association was established at the beginning with almost the sole purpose of persecuting the black men, preventing them from using the rights duly granted them by the constitutional laws granting them citizenship and therefore giving them the right to vote. Brutal means were used to ridicule and abuse them, and in quite a few cases even beating and killing them.

Organized as a secret society and its members going about with fantastic dresses, the Ku Klux Klan had from the start people of various social status who did not hesitate at committing all kinds of crimes for the good of racial antagonisms.

Recently the association came forth with the double purpose of persecuting black men and persecuting the Catholics, proceeding—as heretofore, without being molested by the public authorities.

A case of religious intolerance re-

cently came up in which a professor was prosecuted for teaching the Darwin theories from the biblical version of creation.

To all this must be added the industrial or boss' intolerance which conducts to practices such as these: The bosses organizing in certain classes of work a real army of strike-breakers, armed to the teeth and with the sole purpose of dominating the strikers by terror, beating them and forcing them to enter the factory.

Due to these facts and hundreds of others that show the state of collective spirit and the expression of their mentality, it is easy to understand, therefore, why the United States did not have ears for the universal appeal asking for the preservation of the poor fellows, Sacco and Vanzetti. Above all and essentially they are as criminal in ideas as anarchists.

SO. AMERICAN EDITOR WRITES DENOUNCEMENT

Cites Evil Practices of Southerners

Rio de Janeiro, Brazil.—The Correio da Manhã, one of Brazil's leading newspapers, recently carried an article on the execution of Sacco and Vanzetti. The article by Evaristo de Moraes under the caption, "Why Sacco and Vanzetti Did Not Escape the Death Penalty," is as follows:

"The end of the Sacco-Vanzetti case with the electrocution of the two anarchists caused surprise only to those who never thought of the North American mentality, or to those who forgot significant manifestations of that mentality. Only to those inexperienced ones it seemed rather extraordinary that the leaders of that powerful republic did not acquiesce to the universal request in behalf of the condemned men. In reality, however, the attitude maintained there by the judges and by the public officials corresponds exactly to a certain way of thinking, from which are excluded from the start kindness and indulgence, which sentiments are proper of a perfect moral culture."

U. S. COUNTRY OF RACIAL INTOLERANCE

"Such is the influence of these sentiments—main factors of civiliza-

tion—and they influence to such an extent the appreciation of any human body, that there have already been some who have refused to call civilized those who did not possess these qualities. And in this regard (why not be frank?) the marvelous and truly admirable material progress of the United States does not prevent their being censured for the lack of real civilization, which is only recognized in a society in which are combined all the progresses and in which men, dominating nature's force, also succeeded in restraining his instincts and forgot his dislikes for the sake of complete harmony. However, such is not the case in a country where race and religious intolerance predominate, giving place to savage acts in persecutions and ridiculous accusations.

"No one ignores what happens, especially in some of the southern states, with the individuals more or less related with the black race. From the darkest Negro to the lightest mulatto, no matter whether he is intelligent, virtuous or useful to his white countrymen, he does not deserve any consideration or respect. He is not really a man, although the laws of the Constitution may have conferred on him the rights of a citizen. Therefore, he is not entitled to the protection of the common laws, nor subject to the special laws, and is deprived of human consideration. If an offense or crime, no matter how small, is committed against a white person, the case is not always submitted to the tribunals. Frequently they are lynched, licked, torn to pieces, burned alive in a public square and abused, and in quite a few cases even beaten and killed."

SACCO AND VANZETTI WENT UNHEARD

"Organized as a secret society and its members going about with fantastic dresses, the Ku Klux Klan had from the start good people from various social status, who did not hesitate in committing all kinds of crimes for the good of the racial antagonisms. Recently the association came forth with the double purpose of persecuting 'black men' and to persecute the Catholics, proceeding as heretofore without being molested by the public authorities. A case of religious intolerance recently came up by trying a professor for teaching the Darwin theories, deviating himself from the Biblical version. To all this must be added the industrial or bossy intolerance which conducts to practices such as these: The bosses organizing in certain classes of work a real army of strike-breakers armed to the teeth and with the sole purpose of dominating the strikers by terror, licking them and forcing them to enter the factory."

"Due to these facts and hundreds of others that show the state of collective spirit and the expression of their mentality, it is easy to understand, therefore, why the United States did not have ears for the universal appeal asking for the preservation of the poor fellows, Sacco and Vanzetti. Above all, and essentially, criminals in ideas, as anarchists."

FALSELY BLAMING CRIME ON NEGROES.

Editor of The Press:

As a former member of a southern inter-racial committee I beg to call your readers' attention to the prevalent practice of committing and inventing crimes and blaming them on Negro men.

It is generally assumed that accounts of alleged crimes by colored men, especially crimes against women, will be considered by the police and general public as unquestionably true. Taking advantage of this assumption, some whites disguise themselves as Negroes by darkening their wrists, hands, neck and faces with burnt cork or other substances and commit crimes, feeling sure that their victims will cry out: "A Negro robbed me!" "A Negro assaulted me!" In many cases women and girls give the alarm of assault by "a Negro" when in truth no such crime has been committed. This is a serious, sweeping charge and therefore your readers are entitled to concrete cases that sustain it.

Of the numerous cases with which I am familiar I will cite only a few. In Coffeyville, Kan., during the night of the 17th of March, 1927, two high school girls, who were the only occupants of the house at the time, gave the alarm that they had been attacked by three Negroes. Colored men were rounded up by the whole-sale for "identification;" bloodhounds put on the trail; white mobs attacked Negroes on the streets and a serious race riot was barely averted. After a severe grilling by the police one of the girls confessed that she acted in league with a white man. Anyone who wishes to verify this account can do so by consulting the police department of Coffeyville, Kan.

In Durham, N. C., during Aug., 1927, one white man shot and fatally wounded another. The victim maintained to the last that he had been shot by a Negro. After his death the white man who did the shooting confessed his crime. Some innocent Negro should thank his stars that he was not lynched for this crime.

On Aug. 29, 1919, Maurice Mays, a young Negro politician of Knoxville, Tenn., was arrested and charged with the murder of Mrs. Bertie Lindsey, a young white woman. He was tried and, of course, found guilty of murder in the first degree. Upon appeal he was granted a new trial and again found guilty. A second appeal failed, and the Tennessee Supreme Court set the execution for Dec. 15, 1921. A 90-day respite was granted, and after the effort to commute the death sentence to life imprisonment Mays was electrocuted on March 15, 1922. In Aug., 1927, the chief of police of Norton, Va., notified the authorities at Knoxville, Tenn., that the person, a woman (I am withholding her name), who murdered Mrs. Lindsey, had confessed. The confession reads in part: "I dressed in men's clothes, blackened my face and slipped into the Lindsey woman's room and killed her in bed."

Yet this woman was released because the record showed "no charge against her." Maurice Mays had already paid with his life for the murder of Mrs. Lindsey.

In St. Louis, Mo., during Sept., 1927, two girls, one 16 and the other 19 years of age, reported that they had been attacked by a colored man. Later they confessed that they invented the story as an excuse for staying out late at night.

In Virginia during the year of 1921 a school girl, 12 years old, was very late getting home from school. In order to explain tardiness to her parents, she invented the story that a colored man seized her, dragged her off to the bushes and tore her clothes in the attempt to attack her. Several Negroes were on the point of being lynched and a race war was narrowly averted. Sensing the trouble she was causing, the child confessed that her story was untrue and that she was "very sorry."

Therefore it is to the best interest of all concerned, white as well as colored, that this practice of committing or framing crimes and saying "a Negro did it" be exposed and checked by any and all legitimate means.

Mrs. M. L. R.

A Meritorious Appeal

Dr. Robert R. Moton, principal of Tuskegee Institute, calls attention to the fact that negroes are often charged with crime by perpetrators who take this method of shielding themselves by appealing to race prejudice. He says:

"Two recent murders within the same week claimed front page space because of the mystery surrounding them and the cunning with which they were executed. One occurred in Alabama and the other in New Jersey. In the Alabama case a wife was killed and the husband's first statement to the officers was that a negro had committed the crime. In the New Jersey case a husband was killed and the wife claimed that negroes had committed the crime. Later developments have tended to show that in both instances the accusers were themselves the murderers."

Dr. Moton does not attempt to excuse the criminal element in his own race. There are negro criminals—too many of them—just as there are too many white criminals.

They contribute to the backwardness of the race and to the propaganda against the race. But it is a compounded felony for any white perpetrator or instigator of a crime to attempt unjustly to fasten crime upon a negro simply because in certain communities racial prejudice against the negro can be so easily aroused.

The negro race is advancing, in spite of prejudice. It is well for the South that this is so. And we believe that Southern sentiment is more kindly disposed to the negro than at any time since the days of slavery. . . . Dr. Moton's appeal for justice in the matter of which he writes will be approved by all good citizens.—Atlanta Constitution.

In "An Open Letter" To Editors Of U. S., Dr. Moton Calls Attention To Crimes By Whites, Blamed On Negroes

Refers To Recent Crimes Given Front Page By Dailies and Says Situation Calls For Earnest Thought On Part of All Leaders

In an open letter to editors of American newspapers, Dr. Robert R. Moton, principal of Tuskegee Institute, Alabama, calls attention to the fact recent mysterious murders occurring in Alabama and New Jersey have attracted wide attention and first page publicity in the one case a husband charging that a Negro had killed his wife, and in the second a wife claiming that two Negroes had killed her husband.

Dr. Moton refers to the later developments which point toward the white accusers as the real criminals, and cities failure of the daily press to emphasize this clearing up of Negro's innocence as a situation which "seems to call for the most earnest thought on part of the public authorities and the leaders of public opinion . . . it constitutes an active menace to the rights and liberties of all classes."

The letter reads as follows:

AN OPEN LETTER

Two recent murders within the same week claimed front page space because of the mystery surrounding them and the cunning with which they were executed. One occurred in Alabama and the other in New Jersey. In the Alabama case a wife was killed and the husband's first statement to the officers was that a Negro had committed the crime. In the New Jersey case a husband was killed and the wife claimed that Negroes had committed the crime.

Later developments have tended to show that in both instances the accusers were themselves the murderers or the instigators of the crime. It is a common occurrence that when a crime is committed in a community where there is a

considerable number of Negroes, the first utterance on the part of the excited citizens is, "get the Negro." And as a result the real criminals have gained sufficient time to cover up their tracks while the officers of the law and infuriated citizens are the all too willing victims of this time-worn ruse. And this applies, as the evidence shows, to Michigan as well as Georgia, to the North as well as the South.

An Obvious Fact.

The ease with which crime may be fastened upon the Negro is an obvious fact of American life. The practice of the press in giving front page space and large headlines to crime stories involving the Negro with no corresponding effort to publish the creditable and substantial achievements of the race, has produced a state of mind where the general public is ready to accept as a fact the merest suspicion or accusation that a Negro is the perpetrator of a particular crime, and the more revolting it is the more easily it is believed.

This is bad enough for the unfortunate individual toward whom the finger of suspicion is pointed, but a more serious consequence is that a not inconsiderable part of the crimes of other races is recorded against the Negro thus placing the stigma of excessive

criminality upon the race as a whole and creating a condition which affects their home life and their educational advantages as well as their economic and industrial opportunities.

Hard To Reconcile.

Nor is the effect confined to the Negro. Such incidents are broadcast over the world as typical of American standards of race relations, and it becomes increasingly hard to reconcile such conduct with America's claim to the moral leadership of the brotherhood of nations. In this we as a nation are doing ourselves a great injustice, especially in view of the striking progress that is now being made in race relations in our country along other lines, due in large part to the courageous and liberal editorial policy of the press of all sections, particularly of the South where the situation has been most acute.

It is apparent to all fair-minded persons that a situation which makes it possible for the weakest and most helpless group of our citizenship to have placed upon them the stigma of crime on the slightest pretext, is not only a gross injustice to the individuals involved, but places upon the Negro race an almost impossible handicap in its effort to establish its claim to all the rights and privileges of American citizenship.

No Excuse For Criminals.

There is no disposition on my part to excuse the criminal element in my own race. They themselves contribute enough to the backwardness of the race and to the propaganda against the race, but adding to this the fact that the criminals of other races may blacken their faces or otherwise simulate the Negro, or may commit a crime and escape the consequences by accusing the Negro, presents a situation which seems to call for the most earnest thought on the part of public authorities and all the leaders of public opinion in this country. For there is abundant evidence that it constitutes an active menace to the rights and liberties of all classes of our citizens.

In my opinion, the Negro faces no difficulty more acute at this time than the situation as shown in the Trece, Lillendahl and similar murder cases. Here, it seems, is an opportunity to apply the methods and the spirit of the Inter-racial Commission in every community in effecting the simple justice of discovering as nearly as possible the real facts in such matters, before the hasty publication of statements calculated to inflame

popular sentiment against a wholly innocent victim and place the stigma of criminality upon an entire race.

LAWLESSNESS OUR GREATEST PROBLEM

LAWLESSNESS, OR DISRESPECT FOR LAW, is the greatest problem confronting the country now, according to answers to a questionnaire sent by the National Economic League to the members of its National Council. Closely following this problem are those of the Administration of justice, the World Court, and Prohibition in the order of their importance as determined by the vote. The members of the National Council, we read in the *New York Times*, are men selected all over the country for their community standing. More than fifty subjects were submitted to them on the ballot, but those cited led all the others in relative importance. The main problems now before the country, with the vote giving them their relative weight, are as follows, according to the referendum:

Lawlessness, disrespect for law	1,203
Administration of justice	1,173
World Court	950
Prohibition	946
Taxation	758
Ethical, Moral, and Religious Training	701
Agriculture	692

After these answers had been tabulated, the members of the Council were asked if they believed an abnormal amount of lawlessness and disrespect for law existed in this country at present, and 1,489 answered in the affirmative and 105 in the negative. This question was then put: "If so, what in your opinion is most to blame; is it improper laws, lax enforcement, or the condition of public sentiment?" These causes were given: improper laws, 649; lax enforcement, 895; condition of public sentiment, 1,065.

The question, "If you think it is due, wholly or in part, to improper laws, what specific laws in your opinion are most responsible?" brought these replies: Prohibition laws, Volstead Law, Eighteenth Amendment, 507; too many laws, 105; laws relating to personal liberty, 84; laws governing courts and criminal procedure, 75.

Of the last two questions submitted the first was: "If, in your opinion, it (lawlessness) is due, wholly or in part, to lax enforcement, what are the causes?" The most numerous causes mentioned in reply to this question are: Condition of public sentiment, public indifference, 273; delays and defects in the administration of justice, 245; character of law enforcement officers and judges, 174; political conditions, 126; inadequate penalties, abuse of pardon and paroles, 126; Prohibition laws and enforcement, 112.

The other question is: "If in your opinion it is due, wholly or in part, to the condition of public sentiment, what are the causes?" The answers, covering a wide variety of subjects, are: Prohibition situation, 247; lack of proper education, lack of juvenile training and parental control, lack of emphasis on citizenship in schools, 145; aftermath of the World War, 122; character of laws and inefficiency of courts, 113; increased restraint on personal liberty, 100; indifference and irresponsibility of citizens, 96; too much prosperity, selfishness, money worship, pursuit of pleasure, 91; laxity of morals, lack of religion, 73; attitude of public press, 58.

General.

LOWER CRIME FIGURES.

Testimony from the burglary insurance companies confirms the forecast of a notable decline in major crimes to be shown in Police Commissioner McLAUGHLIN's report for 1926. Precise figures, quoted by one surety company, reveal a decline of 25 per cent. in the number of theft cases and 29 per cent. in the amount of compensation paid out. Something higher than this ratio is estimated for all of the companies. House and apartment burglaries were virtually cut in half during 1926. First among the reasons assigned for so notable a falling off in crime is the operation of the Baumes laws. The burglary insurance companies look to these laws for ultimate results extending beyond New York City. As law-breakers continue to flee from New York to other jurisdictions it is foreseen that the communities so favored will imitate New York's example.

Because the Baumes laws embody in dramatic form the public awakening to the seriousness of the crime situation, it is just possible that the new penalties receive a bit more than their due credit; though there can be no question of their effectiveness. Probably as important a factor is the larger number of policemen placed at Commissioner McLAUGHLIN's disposal. A great many years were spent in discussing theories of crime prevention before New York could bring itself to face the fact that compared with other cities it was heavily underpoliced. This would be true on the mere basis of population. It would be emphasized by the complexity of our population and the abounding wealth, offering temptation and opportunity to the highwayman and the burglar. A higher degree of police efficiency, a sterner code of criminal law, and a speeding up of the wheels of justice—these would be the three concrete elements in a visibly ebbing crime tide.

Beyond these would be the general public response to an ugly problem. Burglary and theft insurance rates have risen to a point where they count seriously in the citizen's annual budget. If apartment house theft has been cut in two, better policing and sterner punishment are not the only reasons. The householder has learned to be more careful in the matter of locked doors and windows. The story of citi-

zens who have answered the doorbell late at night and been held up in their own apartments was bound to have an effect. There has been a tightening up all along the line—laws, courts, police and individual precaution.

CRIME AND PUNISHMENT

(Washington Daily News)

Severity of penalties does not check crime. It may even increase crime.

So New York has discovered and so United States District Attorney Joab A. Banton has reported to the Bar Association.

In the face of too severe penalties juries will not convict. Fifteen years for a second offense; life term for a third. Nothing doing. More often than not the criminal goes free.

So the district attorney recommends that repeal of the so-called Baumes laws, which sought to put an end to short terms, quick releases and the spectacle of habitual criminals habitually committing new crimes.

It sounds well. It always did sound well. "Increase the penalties," say the friends of law and order. "Make the penalties amount to something. Stop slapping the criminal on the wrist. Stop coddling him. Hang him or send him up for life and let society be rid of him."

And the laws are amended accordingly.

But what are the results? A professional bondsman who has made himself responsible for a lot of petty criminals is told that his clients are planning to forfeit their bonds rather than face the possibility of life sentences. He concludes that he must surrender the subjects of the bonds. Who, being threatened with surrender, have a couple of gunners bump off (assassinate) the bondsman.

Again, a jury finds that a first offender, who has really not been a very bad offender, had a little difficulty when he was a mere boy and is technically a second offender. It must send him up for fifteen years or let him go free. They find him "not guilty."

Clarence Darrow could have told

the author of the Baumes laws that they were on the wrong track. It has long been one of his conclusions that too great severity of penalty puts a premium on certain crimes of violence. If the penalty for stealing is made the same as the penalty for assault with a murderous weapon the thief will, if interrupted, add assault with a murderous weapon to his stealing, in the hope that he may destroy a witness and open his path of escape.

In the seventeenth century our ancestors got irritated at invasions of property rights and made sheep-stealing punishable by hanging. The result was the system of trial by jury and all the technicalities of criminal practice which were built up to protect the accused against the cruel and unusual punishments of the law.

What, then, is the remedy for crime? Make the punishment lighter?

Make them more prompt and certain. A writer in the *Atlantic Monthly* points out that one in ten criminals is convicted. The courts are clogged, the jails crowded and the law's delays are unspeakably tedious. If justice were a little more swift and sure the business of crime would be less thriving.

To make the punishment fit the crime was the object all sublime of a much-loved character of high opera. To make the punishment fit the criminal and that the fitting should not be too long postponed would be our advice in handling the difficult problem of our increasing crime.

HUNT FOR THE CRIMINAL

NOT THE RACE

It is too often the case in the South, when a crime is committed that the peace officer, instead of hunting for the criminal, hunts for a "nigger," and thereby affords the criminal the opportunity to escape and to completely hide his tracks. Following up this old line of intolerance, the Associated Press put Congress in the attitude of making an appropriation to catch a "nigger," not the criminal who really assaulted the white woman in Washington a few days ago. Taking the cue from the Associated Press Dispatch, peace officers throughout the country would look for a "nigger" and not for the criminal, though the criminal may be white, since the Press stated that Congress appropriated a thousand dollars to catch a "nigger." Not a criminal, but a "nigger."

But it is a common thing in this country for the white press in reporting a crime committed to say John Doe, Negro, or Richard Roe, Negro. It must use the descriptive term Negro, to single out and point the world to the criminality of the Negro. A Jew may commit a crime, but the press will not say Jacob Steine, a Jew, or Dick McCauley, Irish, but always Bill Jones, Negro.

NATION'S CRIME BILL PUT AT 16 BILLIONS

M. O. Prentiss Gives Itemized Estimate of Yearly Cost in Manufacturers' Record.

\$2,000,000,000 FRAUD LOSS

Law Enforcement Total Figured at \$6,000,000,000 and Waste of Crime at \$6,503,000,000.

Crime and the repression of crime jointly cost the United States more than \$16,000,000,000 a year according to the calculations of Mark O. Prentiss in the current Manufacturers' Record, which was made public yesterday. The \$16,000,000,000 crime bill is itemized as follows by Mr. Prentiss:

Losses through frauds	
Fraudulent securities	\$500,000,000
Embezzlements	150,000,000
Forgeries	100,000,000
Worthless checks	120,000,000
Fraudulent bankruptcies	400,000,000
Property losses through burglary, robbery, &c.	\$1,270,000,000
Transportation thefts	\$500,000,000
Thefts from warehouses, &c.	525,000,000
Thefts from the mails	10,000,000
Value of 12,500 murdered persons	125,000,000
	1,160,000,000
Cost of law enforcement:	
Federal, State and municipal police and prison budgets	\$1,000,000,000
Cost of criminal justice and legal expenditures	3,000,000,000
	4,000,000,000

Waste of crime:	
2,000,000 criminals at \$1,500 a year	\$3,000,000,000
100,000 police, &c., at \$1,500 a year	750,000,000
Commercialized vice	628,000,000
Drugs traffic	1,000,000,000
Liquor traffic	1,000,000,000
Value of 12,500 victims of liquor traffic	125,000,000
	6,503,000,000

Grand total cost of all crime	\$12,933,000,000
"Nearly \$13,000,000,000! and I have barely scratched the surface of the cost of crime. I have omitted any estimate on the loss through illegal betting and gambling. I have not touched on the vast sums used in bribery and graft. I have not even attempted to enumerate the full losses in property, nor the full cost of enforcement."	
"Consider where the crime cost carries you, if you accept as authentic, and I myself do unreservedly, the estimate of \$4,000,000,000 in property losses and \$6,000,000,000 for law enforcement. Your figures then total up as follows:	
Loss through commercial frauds	\$2,000,000,000
Loss property (theft, arson, &c.)	2,000,000,000
Cost of police, judicial, prosecution, prison, private guards, anti-criminal industries, enforcement, &c.	6,000,000,000
Economic waste of crime	6,503,000,000
	\$16,503,000,000

"Add to this your own guess as to the extent of graft in the United States, the amount of money won and lost in gambling and the money tied up in financing criminal enterprise and the figure of \$20,000,000,000 a year comes well in sight. Even at my first low estimate of nearly \$13,000,000,000 the economic cost of crime, in direct cost, in the overhead of anti-crime machinery and in the huge waste involved in both and in illegal activities, presents an appalling picture of the toll levied upon the country by the criminal."

The Negro and Crime

The crime rate among the negro population of the country is growing lower every year, and is much lower than the rate among our alien population. It is said to be much higher in the north than in the south because in the north seven-tenths of the negroes live in the cities. It is significant that the negro has never joined any bolshevist or other radical movement. Over half the negro men in this country are farmers and 80 per cent of all negro women are gainfully employed in factory, field or home.—Butler Herald.

Butler Herald

The crime rate among the negro population of the country is growing lower every year, and is much lower than the rate among our alien population. It is said to be much higher in the North than in the South, because in the North seven-tenths of the Negroes live in the cities. It is significant that the Negro has never joined any bolshevist or other radical movement. Over half the Negro men in this county are farmers, and 80 per cent of all Negro women are gainfully employed in factory, field, or home.—Butler Herald.

Butler Herald

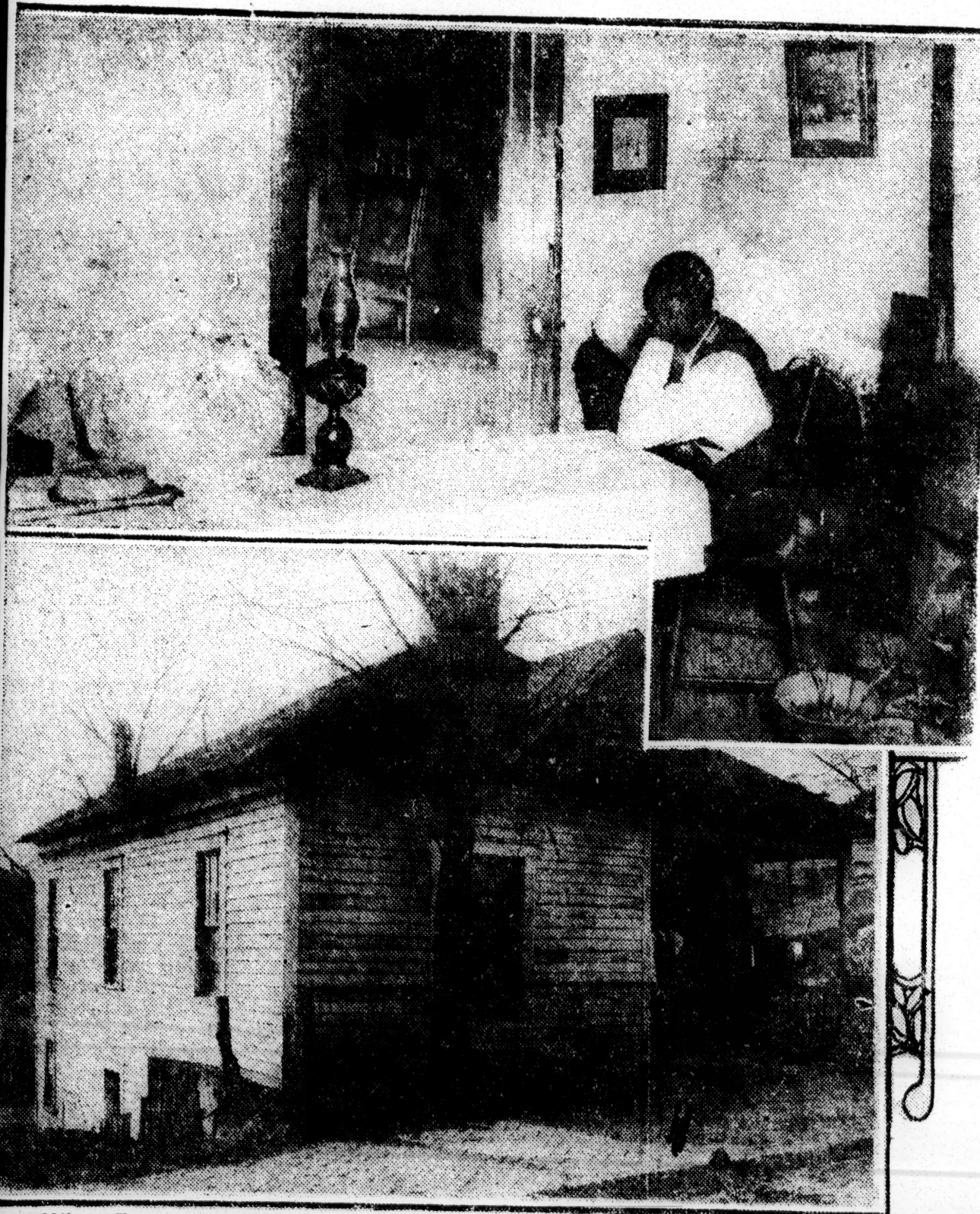
MAR 1 1927

among the negro population of the country is growing lower and is much lower than the rate among our alien population, reports The Butler Herald, which says: "It is said to be much higher in the North than in the South because in the North seven-tenths of the Negroes live in the cities. It is significant that the Negro has never joined any bolshevist or other radical movement. Over half the Negro men in this country are farmers and 80 per cent of all Negro women are gainfully employed in factory, field or home."

MAR 9 1927

Crime-1927

Negroes' Home Stripped of Goods Worth \$2,000 As Security for Loan of \$15 by Local Firm



When Emma Fluellen, negress, residing at 338 Griffin street, S. W., failed to pay "indorser's fees and interest" of \$4.19 for a 30-day loan of \$15, her household goods valued at \$2,000 were seized by a local loan firm. Upper photo shows Tom Fluellen, the woman's husband, in the stripped home and (below) the frame cottage which the colored couple were compelled to leave. A white jury returned a verdict favoring the Fluellens after five minutes' deliberation.

Constitution

Georgia.

BY HERB MCUSKER.

Despite repeated efforts made during the past 20 years by indignant individuals and organizations to drive from the city alleged law-violating "loan sharks" and money lenders who, it is claimed, prey upon the ignorance of illiterate negroes, the practice of openly flaunting their usurious practices by claiming legality before the courts, court activities of the past week and claims made by the Atlanta Legal Aid society disclosed the continued presence of a number of such firms in this city.

Court records and investigation reports revealed by the Atlanta Legal Aid society through J. L. R. Boyd, general counsel of that body, Saturday portended a situation in appalling vividness a continuous situation which, it is claimed, casts an undignified indictment upon Atlanta and Atlantans while it is permitted to exist.

Disclosures brought to the attention of the Atlanta public by Mr. Boyd comprise the following:

1—A new group of organized "loan sharks" is now doing a flourishing business in Atlanta in open defiance of the acts of the general assembly of Georgia of 1904, 1908 and 1920, much to the detriment of legitimate loan firms.

2—Scores of helpless negroes are contributing various sums of money to these new loan shark rings as interest on ridiculously small loans. The alleged victims are compelled to pay as much as 30 per cent interest per month and 360 per cent per year—despite the fact that the highest rate of interest that can legally be charged on loans of \$300 or under by licensed money lenders is 3 1-2 per cent per month or 42 per cent per annum, and that only to be calculated on unpaid balances.

3—Unfortunate victims of loan sharks become unable to pay the high monthly rates of interest and are prohibited by the loan companies the benefit of the law allowing repayment of loans on the installment plan, they thus becoming involved in bail-trover proceedings. Often, their household goods under false affidavits are seized and they are thrown in jail—while, ironically enough, state officers are thus compelled to serve as executors for the usurers.

Household Goods Seized.

4—When Emma Fluellen, aged negress who resided at 338 Griffin street, S. W., failed to pay \$19.13 for a 30-day loan of \$15, her household goods valued at \$2,000 were seized and taken to a warehouse while the woman averted going to jail only by producing bond.

5—Another negro woman who could not pay 27 1-2 per cent monthly interest on a loan of \$10 was placed behind the bars and her household goods, said to have been worth several hundred dollars, were seized.

6—An agent for one loan company is alleged to have posed as a government representative and through "base fraud and deception" to have persuaded illiterate negroes to accept a voluntary loan in exchange for which they were induced to sign a bill of sale to property, signing under the impression that they were merely giving a receipt for the loan.

7—A court official of Macon, Ga., is president of a loan company whose firm name is utilized as a substitute creditor in dealing with ignorant negroes of Atlanta.

Continue Operation.

8—Such companies continue to operate despite indictments pending from not one but several grand juries;

9—Bribes were proffered to negroes against whom the misdemeanor of alleged usury was practiced in an effort to get them to leave the city and not testify in recent actions as to their victimizing.

10—A jury of white men in Atlanta on last Thursday morning took only five minutes after receiving instructions of the court in which to return a verdict for Emma Fluellen, negress defendant in a bail-trover action filed by J. L. Morgan & Co., a firm composed of J. L. Morgan and T. C. Robertson, during which trial evidence was presented which tended to show that fraud and deception had been employed in obtaining a bill of sale on household goods worth \$2,000 from the aforementioned Emma Fluellen in exchange for an original loan of \$15.

History of Case Shown.

In the trial Thursday before Judge Anton Etheridge, filed by J. L. Morgan & Co. against Emma Fluellen, evidence was produced jointly by Mr. Boyd, representing the Legal Aid society and Morris Macks and J. A. Warbington, defense counsel, which purported to show the following history of the case:

On or about November 19, 1926, an agent of the Morgan company called on the Fluellen woman at her frame cottage on Griffin street and told the woman that he was a "government man," had heard about the loss of her mother and was instructed to advance her \$15 until she could repay it with money received from "insurance on her mother."

According to the woman's story, she later signed a paper, under the impression that it was a receipt for the \$15. It later turned out to be a bill of sale, defense counsel contended, which listed the household goods owned by the woman. Thirty days later, the woman said, the same agent appeared and notified her that in order to repay the loan, she would have to pay an additional \$4.19.

Find House Stripped.

On the same day Tom Fluellen, the woman's husband, said he was summoned from work and upon hastening home, found his house stripped

and his wife absent. Later he learned that she had been carried to the court house where she succeeded in furnishing her own bond and thus averted being placed in jail.

In the petition filed by the woman's counsel, the following household goods were named as having been seized in security for the original \$15 loan and subsequent indebtedness:

Three iron bedsteads; three bed springs; six mattresses; three oak dressers; three oak washstands; 10 straight chairs; four rocking chairs; four center tables; three art squares; two trunks and their contents; one oak dining table; one oak sideboard; one kitchen safe; one kitchen table; one range; one oil stove; one clock; one Pathe machine; one Columbia graphonola; one piano; one mahogany wardrobe; one mahogany chiffonier; one mahogany table, and one wicker library suite.

Case Quickly Won.

In her complaint, the woman stated that E. L. Fowler, an attorney for the Morgan company, came to her house and asked that all proceedings be dropped and that she could receive her goods if she would say nothing more about the case.

In the meantime, the Atlanta Legal Aid society interested itself in the case and with Attorneys Macks and Warbington, gathered evidence which later won the case in the record time of five minutes of jury deliberation.

In the Fluellen woman's complaint she further stated that she had been advised that even though she cared to repay the original \$15 loan, she would also be compelled to pay \$4.19 interest for 30 days, \$22 for dravrage of her seized furniture and \$6.25 court costs, making a total of \$47.38 in exchange for the use of \$15 for 30 days.

In case No. 209043 in the municipal court of Atlanta, J. L. Morgan and company against Ida Starr, statements in the defense petition claimed that the woman on January 1, 1926, borrowed \$10 from the company operating in conjunction with the Southern Loan and Real Estate corporation, and that she signed a bill of sale after an agent had listed her household goods. She was told, the petition stated, that she was signing a receipt. On the following July, after having made an affidavit that Ida Starr was about to "elogn" or remove property of the J. L. Morgan and company, the company took possession of the goods and Ida Starr was taken to jail, having been unable to make bond to cover all the articles listed.

Vicious Practices Charged.

"These cases are only two of the many that have come to the attention of the Atlanta Legal Aid society," Mr. Boyd declared Saturday. "Atlanta people would be astounded if they realized the extent of the inhuman and vicious practices being operated here upon whites and blacks.

"Scheming loan sharks are not easily caught. They set up an office in cheap quarters and by paying, say \$100 a year, do business under the name of a 'substantial creditor' posing as a licensed loan firm. A partition is placed between the two offices. On one side sits the 'endorser' and on the other the 'banker.' Through a subtle juggling of the words of the law, certain 'fees' are charged for pretended 'endorsements.' And once the ignorant negro borrows a small sum of money, he is compelled to become a 'repeater' and before he gets out of it, he will have paid the sharps many times the amount of the original loan.

Drive Out Sharks.

"Many Atlantans believe loan sharks cannot be driven from the city, simply because others have failed to do it. There have been notoriety-seekers who have started such campaigns only to abandon them—some have been bought off. But the Atlanta Legal Aid society is going to aid the prosecution of the work until all companies operate under the law. Georgia has as good loan laws as any other state in the union and the officials are preparing to enforce them to the letter.

"Those loan companies who are licensed and operate according to the dictates of the law will certainly not be molested. Doubtless, they will be pleased to see the others wiped out. For loan companies can make money under the present law which allows 3 1-2 per cent per month interest, even though such interest is required to be calculated on the unpaid balances and not on the original principal."

Atlantans are urged by Mr. Boyd to cooperate with the Legal Aid society in its campaign against usurers. Reports may be made to him at his office in the courthouse.

COLUMBUS, GA.,

JUN 2

An Astonishing Situation.

In another column on this page we reproduce an editorial from the Columbus Enquirer-Sun which appeared today under caption, "The Mule Hicks Case."

The position taken is unusual, amazing and really indefensible. It is not consistent with the often stated policy of our morning neighbors in reference to "letting the law take its course," and if true, it indicates that something is radically wrong with our jury system.

The contention is made that the Hicks negro, a criminal with an ugly record in the district, had not received a fair deal and was about to be executed unjustly. Notwithstanding the fact that twelve jurymen passed on the case, pronouncing the defendant guilty of one of the most brutal murders that has shocked Muscogee county in years, and the higher courts of Georgia have determined that the trial was regular and legally O. K.; and the further fact that the State Pardon board has seen fit to turn down a petition for commutation of the death sentence imposed, our friends of the Enquirer-Sun are inclined to set aside the verdict of this local jury, ignore the action of the supreme court and brush aside the decision of the Prison board by insisting that the Governor commute the sentence.

And why? Certain members of the trail jury are being brought into the limelight in a manner as to very greatly reflect upon our jury system. On the subject, the Enquirer-Sun says in part:

"The verdict of guilty without recommendation followed the judge's reference to an all night stay. The verdict arrived at by the jury was not a conscientious verdict of the entire jury—and eight jurors have sworn to that fact. Indeed, a number of the jurors asserted after the trial that they consented to the verdict solely because they believed that 'Mule' Hicks would be given a new trial."

Think of it! This trial jury, being charged with assuming that still another trial was coming, as is so often the case with our rather lax system which is punctured through and through with technicalities, attempting to "pass the buck" on down the line! It is hard to believe. If true, it seems to The Ledger that the case calls for a sweeping investigation. The future of our jury system appears to be involved in this case, and an accounting may be in order. So much for the jury.

In the case of the Hicks negro, however, an opportunity has been open for his counsel—the ablest to be had in Columbus—to get all such claims before the Supreme court and the Prison board, and in view of the fact that neither body has seen fit to interfere with the process of the law in the case it is rather astonishing to note an eleventh hour plea to the Governor from a newspaper which has been insisting that the strong arm of the law was supreme, and expressing "holy horror" over Georgia's shameful lynching record.

The only way to keep down crime and to strengthen respect for law and constituted authority—civilization's only hope—is to back up our courts, stand by jury verdicts and get away from this detestable maudlin sentiment stuff.

How can law-abiding, self-respecting citizens do otherwise?

Consistency, Thou are a Jewel!

Atlanta Loan Brokers Are Granted Injunction Against Critic Circular

Judge Virlyn B. Moore granted on Monday a temporary injunction restraining the Atlanta Legal Aid society, the Negro Business league and the Atlanta Urban league from distributing circulars alleged to be injurious to loan brokers and their business. Hearing was set for April 23.

The petition, filed in behalf of P. P. Jackson, "a loan broker," and fifty citizens, alleges the defendants have been circulating literature

which "casts a reflection on the business engaged in by the plaintiffs and all others engaged in like business."

It is charged further in the petition that the defendants have caused to be filed in the superior court more than 700 petitions for injunctions, 488 of which have been dismissed, it is said. It is set out that almost in every particular plaintiffs in these suits have been and are insolvent and are financially not responsible for costs that have accrued in the said cases, with the result, it is alleged, the budget of the county is affected and the interest of taxpayers and citizens is particularly involved in that the cost of trials is paid from taxes paid by petitioners and other citizens.

J. L. R. Boyd, general counsel for the Atlanta Legal Aid society, said the cases in the Fulton superior court referred to in the petition were dismissed with the understanding the loan brokers could bring suit in the municipal court, but that they could not run a garnishment or attachment against the plaintiffs.

Mr. Boyd asked The Journal further to state that six of the plaintiffs listed in the petition had come to his office before noon Tuesday and asserted that their names were included in the injunction suit without authority.

FORSYTH NEGRO TO DIE IN CHAIR

Forsyth, Ga., October 5.—(AP)—The grim hands of death reached out here today to enfold within their grasp with only a 21-day respite in which to prepare to face his maker, a 21-year-old negro boy whose mentality is apparently so low that he does not fully realize the significance of his plight.

"That is long enough," was the only reply of Roy Pryor, in Monroe superior court, when told by Judge Ogden Persons that he would be electrocuted in Milledgeville on October 26, and had only 21 days to live.

The sentence was pronounced less than nine days after Pryor had been brought to jail here, a confessed assaulter of a 60-year-old Dames Ferry woman. The attack occurred Monday afternoon, September 26, in a pea patch a short distance from town, and the negro was apprehended by a posse composed entirely of private citizens of the community, and brought to jail here, after having been confronted with the victim, and having admitted his crime.

A committee of citizens of Dames Ferry called on Sheriff Carey Bittick here, the morning after the assault, and assured him that there would be no violence, but that they wanted a quick trial. Sheriff Bittick immediately got in touch with Judge Persons, and this morning was set as the trial date. The grand jury met this morning, returned an indictment and the trial got under way. Judge Persons appointed the whole legal coterie of Forsyth to defend the negro. He was prosecuted by Solicitor E. B. Willingham, in a court which was crowded almost to suffocation.

No defense was offered by the negro. His only statement was that made when sentence was passed upon him. The aged woman who was the victim of his brutal attack took the stand and identified him. Sheriff Bittick told the jury a detailed confession made to him the day after the attack. The case reached the jury record time, and the verdict was reached shortly after.

Pryor had escaped on Friday, previous to his attack on the woman, from the Monroe county chain gang. He had been sentenced there for a year by Judge Persons, who presided over his trial today, after conviction last February of being a "peeping Tom." When the judge sent him to the gang, he expressed the opinion that he was "not all there," and indicated that he thought that a term on the roads would do him good.

OKLA. COURT SETS ASIDE DEATH VERDICT

Man Convicted on Race Prejudice

Oklahoma City, Okla., Oct. 7.—The conviction of Roswell Hamilton and the sentence of death on a charge of murder was recently reversed by the criminal court of appeals of the state on the grounds that the prosecution's argument appealed to race prejudice. The local branch of the N. A. A. C. P. is leading in the defense of the man.

According to the testimony presented at the trial of Hamilton he was without funds on an automobile tour, and placed his gun as security with a gasoline filling station attendant for the oil that he purchased. He returned the following day and redeemed his revolver.

Shoots in Self-Defense

Then Hamilton met two policemen who pretended to be travelers, and the older of them feigned illness. They asked Hamilton if he could procure some whisky for the sick man. He said he would go to get it for them.

Hamilton left them and tried to evade the policemen, but they stopped him again. Finally Hamilton took their money and purchased the liquor. Immediately after they received the whisky, he was thrust in his side and he was told he was under arrest. On the way to jail they grilled him as to where he bought the whisky. Hamilton replied that he had already gotten into trouble and that he did not propose to get anyone else in trouble. The officers then began to swear, striking Hamilton over the head with their guns. In the ensuing scuffle one of the guns went off, the bullet scratching Hamilton's arm. The older officer is then alleged to have pointed his gun at Hamilton, who stated that in self-defense he shot the officer and the other policeman.

Griffin Man Freed By Jury On Charge Of Slaying Negro

Griffin, Ga., October 24.—(Special.)—L. F. Huffman, charged with the murder of George Milner, a negro, several weeks ago, was freed tonight by a Spalding superior court which rendered a verdict after a one-day trial.

Huffman was indicted with John Folds but the two cases were separated. Witnesses for the state testified that Milner did not have a gun on his person and Huffman stated that he shot Milner in self-defense. Defense witnesses testified that Huffman and Folds fired in self-defense as Milner drew a pistol on them.

The case was heard before Judge W. E. H. Searcy, Jr.

White Men Indicted At Griffin on Charge Of Murdering Negro

Griffin, Ga., October 21.—(Special.)—Indictments charging murder were returned Friday by the Spalding county grand jury against L. E. Huffman and John Folds in connection with the killing of George Milner, negro, at the Pomona Products company on September 23. The men will be tried in superior court Monday. G. E. Brown, also accused of taking part in the killing, was not indicted, the grand jury returning no bill against him.

Milner was killed during a disturbance at the pepper plant when, it is alleged, a brother of his was ordered to leave the plant by Huffman. Huffman, Folds and Brown were given preliminary hearings on September 28 and were bound over to the grand jury on account of contradictory evidence by several witnesses.

Huffman is a newcomer in Griffin and friends in Cedartown, his former home, signed his bond. Folds is a well-known local young farmer.

A hard legal battle is anticipated when the case comes up Monday. Colonel Chester Byars will represent Huffman and Judge J. A. Darsey will represent Folds. Solicitor E. M. Owen, assisted by Colonel W. H. Connor, will handle the prosecution.

NEGRO SENTENCED TO DIE IN CHAIR MOVED TO MACON

Macon, Ga., October 14.—(AP)—Willie Thomas, negro, convicted Thursday in Dodge superior court on a charge of murder and sentenced to die in the electric chair December 9, was brought to the Bibb county jail here today for sentencing.

The negro was convicted in connection with the slaying of W. H. Howell, Dodge county planter, who he was found buried in a shallow grave a few days ago.

Mistrial in Case of Redding Tried For Murder of Manchester Police Chief As Lone Juror Holds Out.

GREENVILLE, Ga., Dec. 1.—(AP)—Marshall Redding, a negro, was saved from a sentence of death in the electric chair, at least temporarily, by one juror who "held out" for 44 hours in the consideration of a verdict in a trial on a charge of murdering W. C. Callaway, Manchester chief of police.

This was learned today after a superior court jury had failed to agree on a verdict, resulting in a mistrial of the case. It was revealed that, while each of the 12 men agreed on the negro's guilt, one stood adamant for a recommendation of mercy, which automatically would have meant a sentence of life imprisonment, the others demanding electrocution.

The case went to the jury Tuesday.

The next regular term of Meriwether superior court is February, and Redding, is expected to be tried a second time then.

Atlanta, Ga. Messenger

JAN 7 1927

Some two years ago in Jones county one of the most diabolical crimes in the criminal history of Georgia was committed. The perpetrators were tried, convicted, and sentenced to die on the gallows. The sentence of one of them has been commuted to life imprisonment, which doesn't mean very much these days. The other has got another postponement in the execution of his sentence. It came as he was on the point of being carried to the gallows. The State supreme court and the federal supreme court have both affirmed the finding of the lower court, and now the case is to be taken back to the federal supreme court on practically the same ground that was previously ruled upon by that court. Is there no end to this sort of thing? Isn't society entitled to some protection?

COURT TO PROBE TOOMBS FLOGGING

**Court To Meet Monday
When Whipping of
Prominent Attorney
Will Be Investigated.**

Louisville, Ga., January 15.—(Special.)—Judge R. N. Hardeman will open the Toombs county superior court next Monday according to prearranged plans. At the same time the Toombs county grand jury will convene at the call of Judge Hardeman.

Among the investigations to be made is the flogging of Wimberly E. Brown, of Lyons, prominent attorney, who was seized, it is claimed, on Christmas Eve, by a hooded band of men and spirited to a place not so far from town, where he was administered a severe beating.

Attorney Brown was engaged in prosecution of five men in the Toombs county superior court last November charged with the slaying of Wilson last July in Toombs

Brown assisted Solicitor A. S. Bradley. The men were acquitted.

At the time of the rendering of the verdict Judge Hardeman denounced hooded mobs, a number of which it was alleged killed Wilson.

Much interest centers in the session of court to open Monday.

Gov. Michigan Refuses Extradition

Lansing, Mich., Feb. 21. (PNS)—A sheriff from Georgia came to Detroit last week asking for a requisition for an alleged Negro criminal, whom he stated had committed murder in the state of Georgia ten years ago. The southern officer was not quite sure as to the identity of the alleged criminal, but said that he thought that the Negro in question was the man wanted.

The alleged criminal, named having ever lived in Georgia. Stating that his original home was in South Carolina. He produced witnesses to this statement. He also proved that his name, which had never been changed, was not the same as that of the man wanted in Georgia.

Governor Green reviewed the case carefully, conferring with the best legal talent of his official personnel in the matter. In reviewing the case, the lack of positive identity, the alleged criminal's attested denial of having ever lived in Georgia, coupled with his ten subsequent years' excellent record as a citizen, constituted a prepondering weight of evidence in his favor.

WHIPPING VICTIM IN LAW'S TOILS IN TOOMBS COUNTY

Lyons, Ga., March 5.—(P)—W. I. Brown, local attorney, who gained publicity through the recent whipping of a hooded band administered to him last Christmas, was indicted here in two true bills returned by the Toombs grand jury in session this week. One charges him with having whisky on his person and the other with carrying a pistol without license.

These are the same offenses for which Dr. R. M. McCall, mayor of Lyons, sentenced him to 60 days in the lockup, but suspended the sentence on good behavior.

Defends Money Lenders Who Charge High Rates

Editor Constitution: I don't usually take issue with The Constitution, but it is permissible to have a few words to say in your recent editorial, "Human Boll Weevils," and the comments by two very prominent readers of your paper appearing later on the same page.

I can't believe there is a full understanding of the business of money lending else sentiment has overbalanced their better judgment.

Before I get too far I wish it understood that I am not, never have been and never expect to be engaged in the business—for one thing it is a hazardous, highly speculative business. I have never borrowed a penny from a money lender and never expect to, although there have been many times that I would very much like to have had some money that for the time being I didn't possess.

The result of previous attacks on these people has shown most of them doing a legitimate business and in reality doing quite a service to the class whose patronage they have. It is indeed a hazardous business to lend money to people, as a rule, whom you can't force them to repay. I have loaned a few dollars a few times (no interest charged either) with very unsatisfactory results. These people pay for what they get, viz. credit. If they were a good risk they could get it at a bank or possibly most of them prefer paying high interest to embarrassing a friend for endorsement. It is a well known fact that the amount of risk determines the rate of interest. Government bonds pay a small rate, whereas more risky bonds pay much higher rates.

Why is it no fight is ever made on pawnbrokers and large lenders on real estate? They always have very ample collateral and charge about the same fee as the common "boll weevil," who has no collateral whatever.

I have been a resident of Atlanta about twenty-five years and notice this question bobs up about every five years with no other result than room is made for some more new money lenders.

I have never yet seen nor heard of one of these "human boll weevils" forcing any one to borrow their money. The customer or borrower goes into it with his eyes open and of his own free will—and this is a free country. I think you agree there should be no paternalism.

The question is this: If there is violation of law, it is in order to handle from a legal standpoint and punish the offender; if the law is a bad one, change the law.

It is certainly not fair to embarrass and probably ruin a legitimate business with an attack based solely on sentiment.

I will thank you to publish this letter.
J. H. PATTERSON.
130 Ponce de Leon Avenue, Atlanta,

NEGRO SENTENCED TO ELECTROCUTION

Wednesday, for the second time in the past 11 days, a verdict of guilty to indictment charging murder has been returned in Fulton superior court and the defendant sentenced to pay the extreme penalty of the law—death in the electric chair.

Henry Ellis, negro, was found guilty Wednesday afternoon by a jury in Judge Edgar E. Pomeroy's division of the court and was sentenced to be electrocuted at the state prison farm on May 18.

He was jointly indicted with Jasper Ellis, another negro, on a charge of murdering Johnnie Taylor, negro, in an altercation in an alleged "dive" located at Brown alley. The murder occurred on the night of February 19. Taylor was stabbed with a knife and died almost instantly. Jasper Ellis will be placed on trial week after next.

The negro was convicted barely more than a month following the slaying, the case having been handled by attaches of the solicitor's staff. Assistant Solicitor John H. Hudson prosecuted the case for the state.

The other defendant who faces the electric chair on May 6 and who was convicted on March 11 is "Whitey" Sheppard, charged with the murder with an ax of Homer Fowler in Sheppard's home on Marietta street. A motion for a new trial has been filed in superior court and is pending. In the meantime Sheppard is lodged in Fulton tower.

SERIOUS INDICTMENT.

Was Atlanta the most lawless city in the United States during the seven days of Christmas week? According to a tabulation of alleged major crimes committed in New York, Chicago, Philadelphia, Detroit, Los Angeles, St. Louis, Baltimore, Boston, San Francisco, Newark, New Orleans, Jersey City, Toledo and Atlanta, compiled and published by the New York World, Atlanta not only led in major crime in that period, on a basis of population, but led New York almost twelve to one, and almost doubled the next most criminal city, which it claims to have been San Francisco with Detroit running the coast city a close second.

Following is the World's tabulated totals, the crimes recorded being confined to homicide, felonious assault, robbery, burglary, and grand larceny: New York 277, Chicago 292, Philadelphia 333, Detroit 373, Los Angeles 271, St. Louis 154, Baltimore 18, Boston 59, San Francisco 175, Newark 91, New Orleans 34, Jersey City 15, Toledo 73, Atlanta 130.

Following is given by the World as the percentages based on a 100,000 population unit: New York 4.7, Chicago 9.6, Philadelphia 16.5, Detroit 28.9, Los Angeles 20.8, St. Louis 18.5, Baltimore 2.2, Boston 7.5, San Francisco 30.8, Newark 19.8, New Orleans 8.1, Jersey City 4.7, Toledo 24.8, Atlanta 52.0.

What is the answer to this? Was it because of laxity of police efficiency, sobriety and protection? Or because Atlanta is a natural stop-over for the professional underworld Florida bound at this season? Or because of a greater flow of crime-inspiring hooch turned loose in Atlanta? Or because Georgia hooch is less poisonous, thereby killing fewer criminals and leaving more to carry on? Or, what?

Has the World libelled Atlanta? That is a matter to be looked into. Dollars to doughnuts it has not! At any rate it is serious and there is no getting around it. It is a challenge to the police—a challenge to the new administration.

There is no sense in hiding the figures. "The truth will make you free." We can expect freedom from such a disgraceful indictment only by knowing the truth, as stinging as is the blow, and applying the remedy.

Cost of Crime and Remedy Given by Governor Walker In Fourth of Statements

Weak Law Enforcement, Crime Wave and Better Prison System Discuss- ed by Chief Executive.

The cost of crime to a state and the remedy is discussed by Governor Clifford Walker in a statement made public Saturday.

This is the fourth of a series of statements prepared by the governor in which he sets forth his views on what should be done for the progress of the state, his opinions being based on his experiences during the two terms he has served as governor.

The statement follows:

"In no field of government activity are we in so great need of calm, dispassionate study and research as in that of the control of crime.

"The cost of crime in the United States, estimated conservatively at sixteen billion dollars annually, is many times greater than the loss now being caused by the Mississippi flood. Georgia's crime bill this year has far exceeded the damage done by the father of waters to any state along its course. The problem challenges the sanest thought and the most statesmanlike action, for the damage wrought is not only financial, but destroys the happiness and undermines the security of thousands.

No Crime Wave Seen.

"Before we can consider this problem rationally we must dismiss the current illusion that we are suffering from a 'crime wave.' The meager statistics available indicate that there has been no sudden increase in crime. The number of criminals in the country has only increased in proportion to the population. The amount of dishonest dealing and fraud has only increased in proportion to the increase in business activity. The crime problem was a new development, the hysteria incident to recent popular discussion of the 'crime wave' might be justified. But this problem is as old as civilization, and it is not to be solved by the superficial speculations of excited opportunists, nor by traditional vindictive methods.

"Three important considerations need emphasis:

"1. The only cure for crime is prevention. Every effort expended to afford each citizen from the day of his birth the proper development, growth, education, physical and mental health, recreation, employment and spiritual nurture, is directed toward the solution of the problem of crime. In our excitement over the 'crime wave' let us not forget this fundamental. After all we look to the leadership of our state departments of education, public health and public welfare, for the strengthening and enriching of our community life; to our business leaders and educational institutions for the development of sound agriculture and industrial economies; and to the churches for the quickening of the religious life of our people. These are the preventive elements in the warfare against crime.

Law Enforcement Weak.

"2. Our law enforcement agencies are entirely without chart and compass. The methods and organization of our police and courts have never been systematically studied. There is no state department concerned with the development of standards, the collection of statistics, suggesting improvements in the laws, or coordinating these agencies. We have no central registration of criminals, and handle each offense without reference to the previous record of the prisoner.

"The development of a police system that is swift and sure, and a court system that eliminates technicalities and is a tribunal for the disinterested search for truth and the discovery of a proper method of treatment for each individual delinquent, and not a forum for the display of the wits of opposing counsel, cannot come as the results of speculation. It will only result from careful study.

"In spite of all the agitation of the past few years, only one state, Missouri, has approached this subject in a thoroughly systematic fashion. George W. Kirchway, one of the country's foremost criminologists, says in a recent review: 'The Missouri crime commission is the only organization, except the crime commission of New York, that has functioned to a degree that would justify any attempt to assess its value to the community, and the New York crime commission is a temporary makeshift, a glorified legislative committee, whose only title to fame is the body of drastic legislation enacted a year ago and bearing the name of its chairman, Senator Baumes. Indeed, nothing more constructive than Baumes' laws can be expected of a body constituted for the sole purpose of dealing summarily with the crime situation, and continuing from one year to another by legislative enactment.

"The Missouri commission, on the other hand, is a permanent body, under no pressure to produce an annual grist of bills for legislative action, and with far less need to satisfy the clamor of the mob for vindictive legislation. Within two years after its organization the commission published the Missouri crime survey, representing the study of

every important aspect of the problem, some of them by highly qualified and disinterested lawyers, university men, and specialists in public administration, and laying a substantial foundation for constructive legislation.

Remedies Suggested.

"For the attainment of these aims, the ascertainment of facts as to crime and its treatment, the proposing of legislative remedies for the defects in the administration of criminal justice which these facts disclose, and the stimulation of the public to demand and provide a wise and honest administration of the law, it is obvious that the state crime commission must be a continuous body. Its work will not be done, it will be scarcely begun in a year or a decade. Some of our best minds have suggested the creation in every state of a 'ministry of justice' charged with the supervision and the progressive improvement of the law and its administration. Its first duty would be to devise and by appropriate legislation to set up adequate machinery for gathering, recording and tabulating the data as to crime and its treatment in the state.

"It is only by the establishment of such a state agency that we have accomplished the coordination of other systems, such as the public school system. Surely we could make no more constructive suggestion looking to the improvement of our methods of dealing with crime than that the legislature immediately establish a permanent state crime commission with the responsibilities outlined above.

"3. The traditional faith in punishment—stark punishment, as the only method of dealing with the individual criminal, cannot be accepted. It did not work when over two hundred crimes were punishable by deaths. It is less effective today when punishment consists of enforced association of criminals with each other in prisons which are more or less schools of crime. Modern science recognizes the delinquent as suffering from some malady, either physical, mental, or environmental. If he has become a public menace he should be confined, but if he is ever to be released his trouble should be understood and corrected. The careful diagnosis and treatment of each individual delinquent, and not harsh punishment, will prepare him for freedom. There are constitutional delinquents who should never be released, and science is equipped as never before to discover these individuals, but the great majority of offenders should be returned to society better equipped to become law-abiding citizens.

New Prison System Urged.

"If these principles be true, and they seem self-evident, should we not concern ourselves with the improvement of the prison system, rather than with the adoption of more severe penalties? As a matter of fact we know that our present system releases the criminal weaker and more vicious. Most of the serious crimes are committed by criminals who have previously served prison terms, and have been schooled in crime by close association with other criminals. We must change our prisons into mental and medical clinics, and vocational and industrial schools. This does not mean coddling them, nor sentimentally crying over them. We must either build on the best that is in them, or lock them all up for life.

"Any other program will not only continue to expose the public to the constitutional delinquent until he has perpetrated horrible crimes, but will still further aggravate the malady of the curable delinquent. The longer his term in our present day prison, the more dangerous he is when released, and under any system, the prisoner, with few exceptions will be given his freedom sooner or later.

"The extreme crime wave reformers would abolish probation, parole and the indeterminate sentence, increase the severity and length of punishment, and frighten human nature into submission. However, they believe their own faith by providing that when a man has committed four felonies he shall be imprisoned for life! A harshly mechanical system of penalties strengthens the plea of the sentimentalist for clemency, encourages the unscrupulous lawyer to accomplish the acquittal of his client by unethical means, assures an earlier release for the criminal experienced in evading justice and a longer course in the university of crime for the beginner. One state adopts a penalty of death for holdup with a weapon, not appreciating the necessity it puts upon the bandit to kill his victims and thus prevent them from persuading and identifying their assailant.

"It hardly seems necessary to prove that crime cannot be prevented by fear of punishment, by degrading associations, or by harsh, cruel and inhumane treatment. Such methods have been given a fair trial in the long history of the race. There is no short cut to the transformation of a delinquent. It must be attained by the long road of scientific improvement of our penal system."

A DISTARDLY CRIME

A menace to any race or community, is its criminal class. With us this class has much to do in the widening of the breach between the races. This was especially accentuated early last Sunday morning when a colored man, for no given cause, wantonly shot and killed a white man who favored him and his companions with a ride. After killing the white man the accused attempted to kill his wife, who has so far survived the attempt. To the credit of the sheriff, the men implicated were taken to Macon for safe keeping, thus preventing a lynching bee and saving Georgia from another stigma.

Very justly, the temper of the white citizens of Telfair and Dodge counties is at fever heat, and it requires but the least encouragement for an attempt to be made to secure the accused and submit them to preemptory punishment. A speedy and fair trial should be given them, and the law be allowed to take its

fullest course.

The well-thinking colored citizens of the state, deplore this tragedy, and have not the least sympathy for the guilty murderer.

In our county this criminal class in their depredations is a great liability. There are constant reports of shooting, cutting, and the taking of life. Just a few days ago, two persons met an untimely end by being killed. Crazed by the poisonous liquid that is now being peddled, these criminals are inclined to commit crime. To our shame both sexes are involved. There is a remedy; it should be vigorously applied. Preachers and leaders should not only present life hereafter but more vigorously set up life today. The blot of the increased number of criminals is upon the preachers and leaders. During the week days turn the church buildings into training places for the youths under proper direction. Should this be done, in the course of a generation, the criminals would be less in number and in greater proportion the better class increased, thus living suitable lives that will more properly fit and prepare them for life hereafter.

INDIANA NEGRO, SLAYER OF WIFE, IS ELECTROCUTED

Michigan City, Ind., July 29.—[Special.]—Roosevelt Hicks, 25, Indianapolis Negro, was electrocuted at the Indiana state prison this morning. Hicks was convicted of the murder of his wife.

Hicks shot and killed his wife when she returned from a dance which he had forbade her attending.

Wallace McCutcheon, 17, another Indianapolis Negro, is in "death row" awaiting a sanity inquest ordered by the state prison board of pardons.

John Hall, slayer of a South Bend druggist, will go to his death on Nov. 4 unless he obtains a stay of execution.

Darrow Saves 2 From Chair

CHICAGO, Aug. 4.— Clarence Darrow, the distinguished Chicago criminal lawyer, Friday night saved two more men from death on the gallows.

The recipients of Darrow's successful efforts in their behalf are Ernest Holt and Stonewall Clark, who had been convicted to die for the murder of Robert Levy, a grocer, in a robbery that netted only four dollars.

Then Darrow, who saved the Sweets of Detroit, Leopold and Loeb, intervened persuading the men to plead guilty at a new trial on the court promise to inflict a life sentence. Holt and Clark pleaded guilty and Friday were given life sentences.

HUNT SOUTH SIDE TERROR BURGLAR AS HE ROBS AGAIN

Negro Loots More Homes;
Threatens Baby's Life.

Aroused by the depredations of a large Negro who has been terrorizing south side homes for the last week, Chief of Police Michael Hughes yesterday announced that extra squads have been detailed to search for the marauder.

Three districts have now experienced the mysterious midnight visits of the burglar, Beverly Hills, Woodlawn, and Hamilton Park. In every home entered his tactics have been the same. After jimmying a window, the Negro has awakened his victims by playing a flashlight on their faces. His revolver, gleaming in the narrow circle of light, subdues them all without difficulty.

Enters Homes, Threatens Baby.

At the latest scene of his operations, Hamilton Park, the burglar invaded two homes early yesterday and terrorized a half dozen persons, in one instance threatening to kill a baby. Then, as in his previous forays, he vanished while police were making a search for him.

Mrs. Anna Morrison of 7244 Perry avenue was the first to be awakened yesterday morning. Finding no valuables in the woman's room, the Negro warned her to be quiet and took a watch from Harry Eckwall and \$6 from Paul Collier, boarders in the home.

Forces Woman to Aid Him.

At the home of John O'Brien, 7225 Perry avenue, the burglar compelled Mrs. Rose O'Brien to accompany him on a search of the house.

"You do as I tell you if you don't want anything to happen to this kid," he said as they passed the crib of John O'Brien Jr., 2 years old. daughter, Rosemary. The intruder left after collecting \$20.

"We have a good description of this man," Chief Hughes said, "and you may be sure we are going to get him. If he persists in entering more than one home in the same block he is going to find himself surrounded by policemen."

PAIR SAVED FROM NOOSE BY DARROW

Noted Attorney Is Successful In Saving Penniless Negroes. Called Sentence Unfair.

CHICAGO, Aug. 3.— Clarence Darrow, the famous criminal lawyer and exponent of equal justice for all men has triumphed in another fight to save the lives of two men who were doomed to die on the gallows.

The men in Darrow's latest fight against capital punishment and for fair and equal trial before the law, were two penniless colored Americans who had been sentenced to death on a robbery charge. The death sentence of the pair was committed to life imprisonment.

Darrow's argument that the pair, because of a lack of money to hire defense counsel and their color had been given an extreme sentence in the case that was entirely unfair.

They are Ernest Holt and Stonewall Clark, convicted of the murder of Robert Levy, grocer, 1443 Fulton St., in a robbery that yielded only \$4.

Judge Emmanuel Eller granted a new trial on Mr. Darrow's announcement they would plead guilty if sentenced to life imprisonment. They immediately entered the plea and the new sentence pronounced. The death penalty had been ordered by a jury.

CRIME IN CHICAGO.

Dr. Andrew A. Bruce, professor of law at Northwestern University, says that Chicago's crime record is no more startling than that of any other American city. It does not stand out above the general American experience or, with its elements properly considered, above metropolitan experience in other countries. Dr. Bruce, with two other professors of law, one from the University of Chicago and one from the University of Illinois, was asked to make a study and a report for the state board of pardons and paroles.

Citizens who are concerned for the better administration of law in Chicago will not find in a statement that Chicago's crime has been exaggerated out of its relative proportions a reason for satisfaction with what does exist. An understanding of the causes and the consequences is desirable and a sane statement of them beneficial. But it is not intended to have a relaxing effect. Dr. Bruce does not have that in mind. The purpose is to discover and recognize what the situation is and then with this understanding to get the better of it.

Chicago has no doubt been given a preëminent place in present day discussion of crimes of violence. That is the result, partly of the wholesome and intelligent self-criticism which the city does not discourage, and partly of the willingness of other cities to give Chicago the preëminence if Chicago insists on asserting a right to it. We prefer to submit to the complacent publicity granted by other cities if the alternative is smothering publication and criticism at home.

The homicide record for America is held by southern cities and it is their Negro populations which give it to them. The Negro is not so much given to premeditated violence as he is to violence in quarrels. Character of population has a great deal to do with the crime records of cities, and no American police have so easy a task as the police of Great Britain or most of continental Europe. Every sensible observer of comparative statistics recognizes this.

Comparative homogeneity of population, generations of repressive discipline and central administration of police have made orderly countries. As Dr. Bruce says, we have nothing like Scotland Yard with its general administration. We have forty-eight police power sovereignties. We have mixed populations, which contain all the various temperaments and habits of the world. We have repressive laws, which are completely outside European ideas of what laws should be. It is an odd commentary on this that the founders of the nation were escaping from laws they did not like. Many of them regarded law as man's

enemy, contrived from above to do him an injustice. As it works out with us a citizen sent to the legislature is inclined to pass any law and has been a flare-up of the most unpleasant activity. A citizen put in the jury box is inclined to enforce the law in the Negro wards and that orderly colored citizens and whites have told him they were afraid of the probable consequences. He instructed the police to get control of the situation and keep it so. The Thompson Negroes say that he turned the Cossacks loose on them.

Examining our problems does not make us satisfied with what we find. If we have a greater difficulty we'll need greater intelligence and activity. Chicago has a geographical position which increases its local problem. The picture of it as a city of turbulence and violence is fantastic, but that does not satisfy us. We want better conditions and believe they can be had.

CLABAUGH TO GET UNIVERSITY HELP TO STUDY CRIME

Representatives of the state's three leading universities will meet today with Hinton G. Clabaugh, head of the pardons and parole board, to plan study of prison, criminal and parole conditions in Illinois.

Those who will meet Dr. Clabaugh are Andrew A. Bruce of Northwestern University, Dean Albert J. Harno of the University of Illinois and Prof. Ernest W. Burgess of the University of Chicago. They will appoint a committee and supervise a study of conditions.

Mr. Clabaugh believes that such a study will result in compiling valuable information.

THE POLICE IN THE NEGRO WARDS.

Mayor Dever and Chief Collins are accused of misusing the police in the Second, Third, and Fourth wards to terrify, coerce, and punish the Negro voters. These wards have been for Thompson whenever he was a candidate. They were for him in the primaries. The attempt, under Negro leaders, to take them from him was a fizzle.

Masses of colored people who are not disorderly are for him because they think he is their friend. They think they get a fair deal from him. That includes favors in politics, jobs, where they can be had, and a recognition of their social as well as political rights.

Vicious Negroes have been for him because in his administration a free hand was given to the back resort keepers, gamblers, black and tar cabarets, and the business of making money out of the vices.

It has been generally feared that a high cultivation of the disorderly professions and sex depravities in the Negro wards would make trouble for the whole city. The particular license granted black bad men to do as they pleased without police interference was harmful to the Negro citizenship. It lowered the standards of the Negro neighborhoods and it gave their worst characters an idea of their immunity from law which was not good for the city.

Mayor Dever explains that since the primary in which Thompson ran all over Litsinger there has been a flare-up of the most unpleasant activity in the Negro wards and that orderly colored citizens and whites have told him they were afraid of the probable consequences. He instructed the police to get control of the situation and keep it so. The Thompson Negroes say that he turned the Cossacks loose on them.

No one who knows Dever will believe that he did any such thing. Some of the police may have interpreted Thompson's "left-handed" crack at Brennan as in reality a slur on the Irish and may have put their heart in their work when they were ordered to bring Thompson's Second, Third, and Fourth ward friends to time. It is police politics to razz your enemies and favor your friends before an election. We do not believe Dever will stand for much of that this election.

The white and the colored people of Chicago have to find a way of getting along with each other. Most of them do not have much trouble. Ordinary decency of behavior on both sides makes it easy enough. The city cannot have a situation in which white men are in danger in black streets and black men in danger in white streets. Let either the bad whites or the bad blacks get out of hand, and it is provocative.

It is hardly required of Mayor Dever that he anticipate the possible policy of Mr. Thompson in these wards. Mr. Thompson is not yet elected mayor. If he is, he will have four years of his own and the responsibility for what he does.

COLUMBIA, S. C.

Record

FEB 19 1927

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Examining our problems does not make us satisfied with what we find. If we have a greater difficulty we'll need greater intelligence and activity. Chicago has a geographical position which increases its local problem. The picture of it as a city of turbulence and violence is fantastic, but that does not satisfy us. We want better conditions and believe they can be had.—Chicago Tribune.

JUDGE FLAYS SOUTH SIDE OFFICERS

More Than 500
Colored People
Arrested Saturday

One hundred and thirteen youths of the Race were arraigned before Judge Heller of the Boys' Court Monday morning on charges of being inmates of disorderly houses. Police of the Third district station, under the direction of officers Walter Storms and Mortimer Goldstein made the arrests. The raid took place Saturday afternoon and the young men were found loitering in and about a pool room at 346 E. 47th street. A pistol, one knife and two screw drivers were found in their possession.

When asked by Judge Heller as to the charge that was placed against the boys, one of the officers replied, "Well, your Honor, they were caught in a house of ill-fame, that is, we charge them of being inmates of a disorderly house." When asked what led them to the place, Sergt. Storms replied, "Well, there had been a murder in the district and we had definite information that the murderer was in the house. So we decided to make the arrest."

The judge considered the evidence as given to him by the officers and witnesses and decided that none of the lads were guilty. He discharged them all.

Flays Police Department
Judge Heller, in unpicked words, flayed the police department for

not arresting more criminals; instead, he claims, they are only making raids on innocent people. "I am not going to place guilt on these boys when I find no evidence," the judge said, "and I would like to know just what you arrested them for—well you are under orders, and I don't blame you, but if the police department would spend its time in running down criminals and work against the lawless element of Chicago we would have a better city."

The judge, after discharging the prisoners, many of whom were under age, urged the officers to arrest people on evidence only and not as "suspects."

Many of our youths appeared before Judge Heller Monday, and those who were not actually guilty were released, or where there was a reasonable doubt, they were placed on probation.

Arrest Made on Screw Drivers

After investigation by newspaper reporters, it was found that officers based their evidence against the youths on the fact that two screw drivers had been found in the pool room. To this reply the jurist answered, "Well, I have screw drivers in my home," and he further stated, "If your captains will have you to concentrate on criminals, but I guess you will have to follow orders if you want to remain on the force. Don't clean up a part of the city, but clean up the whole." The entire courtroom applauded the jurist in his stand for justice.

Citizens Aroused

Saturday night more than five hundred colored men and women were arrested and arraigned in the various police courts Monday morning. Colored citizens of the Southside are very much aroused over the act, and several police officials have been interviewed and they were informed that they were "merely enforcing the law." Two colored to every white appeared before the judge and scores were discharged for the lack of evidence.

Urbana Death Sentence to Indianapolis Negro

Urbana, Ill., March 13. — (AP) — Herschel Andrews, Indianapolis Negro, was sentenced to hang April 22 for the murder of Thomas Tate, Negro, Christmas day, by Judge Franklin H. Boggs, in Champaign county Circuit court yesterday. A new trial was denied, but counsel for defense was allowed thirty-five days to file a bill of exceptions.

NEWS
CHICAGO, ILL.

MAR 26 1927

INVESTIGATING POLICE RAIDS.

After an inquiry into the sensational charges of Aldermen Anderson, Jackson and Cronson that the Chicago police force used "Cossack methods" in raiding the city's so-called black belt, invaded private homes without search warrants, and wantonly arrested law-abiding Negroes, the city council committee empowered to ascertain the truth has voted to report that there was a complete lack of evidence in support of the charges.

Promised affidavits were not produced. The committee questioned the general superintendent of police on the subject, listened to detailed evidence of defiant and flagrant lawlessness in the 2d and 3d wards and reached the conclusion that the so-called raids were conducted in a lawful manner and strictly in the line of official duty.

Many good citizens of those wards credited the sensational charges and complained of willful discrimination by the police against the Negroes. The council committee's inquiry seems to have demonstrated that the charges were purely political, since no proof of ill conduct by the police was presented. Colored citizens, of course, are entitled to all the rights of their white fellow citizens. Certainly Mayor Dever is not the man to permit discrimination against any element of the city's population because of race or color.

N. A. A. C. P. Stays Hang- ing of Negro

Case of Herchell Andrews
Will Be Reviewed Before
State Supreme Court

New York, April 29.—Prompt action by the Springfield, Ill., Branch of the National Association for the Advancement of Colored People, has procured a stay of execution in the case of Herschell Andrews, a colored man who was to have been hanged on the morning of April 22. Andrews had been sentenced to hang for stabbing to death Thomas Tate last Christmas day.

A. L. Meeks, secretary of the Springfield Branch, reports that when the case was called to their attention, he together with Charles E. Phillips went to Urbana, Champaign county, to investigate. His report states:

"We interviewed several prominent citizens and found that the majority of the people, though approving of the hanging, were doing nothing to prevent it. Upon interviewing several of the oldest citizens we found that no white man had been hung in Champaign County in forty or fifty years, although the murders committed by them were more atrocious than that of Herschell Andrews. In view of this fact we felt that the N. A. A. C. P. was justified in protesting against this hanging. A colored student of the University of Illinois told me that the white students were clamoring to attend the hanging. It seemed that the white citizens looked upon the hanging as an object lesson to other Negroes who might be inclined to be too bold. Mr. Forrest B. Gore, the defense attorney, was relentless in his efforts to obtain a reprieve."

The defense was successful in its efforts and on a writ of error and supersedeas, issued by Justice Frank D. Dunn of the State Supreme Court, the case will be reviewed at the June term of the court.

CHICAGO, ILL.

'BLACK BELT' RAID PROBE O. K.'S POLICE

Negro Aldermen Fail to Ap-
pear to Sustains Charges
Against Patrolmen

Investigation of alleged "Cossack methods" of police in the negro districts of the Second and Third wards, begun with a blare of trumpets in the council chamber at last week's meeting, blew up today when the aldermanic committee of police and municipal institutions gave the police department a clean bill of health.

Alderman R. R. Jackson of the Third ward, one of the negro aldermen who sponsored the committee in investigation, though not a member of the committee, was the only complainant spokesman. He did not have any affidavits or witnesses, declaring that Alderman Louis B. Anderson of the Second ward, who had not waited for the meeting, had such matters ready

Albert Flays Protests

Ald. Albert declared the resolution which resulted in the committee consideration of the raids was "a brazen attempt to tie the hands of the law enforcing machinery and should not be tolerated."

Whereupon the six aldermen present, lacking one of a quorum, voted to report to the council that there was no evidence to sustain the allegations that Chief of Police Collins or his officers and men had done anything contrary to law in making the "black belt" raids.

Ask for Affidavits

The sponsors of the resolution were instructed in the motion to present to Chief Collins and the civil service commission, any affidavits they may have regarding police misconduct.

Alderman Sheldon W. Govier, who presided over the meeting in the absence of Alderman Thomas F. Byrne who is ill, openly made the charge that Aldermen Anderson, Jackson and Cronson were "ducking the issue" when at 11:10 a. m., after waiting for ten minutes for a quorum, Ald. Anderson, the only member of the trio who was on hand, decided he had waited long enough and started to go.

Raps Cronson's "Ducking"

"Let the records show that the delay in this session is due to an absence of the quorum because Ald. Cronson ducked out," Ald. Govier proclaimed. "He was around here until we were ready to begin. We'll hold our meeting just the same."

Chief of Police Collins was the first witness to be heard. He defended the action of the police, declaring the district between Twenty-second street and Thirty-ninth street, between Cottage Grove avenue and State street to be "the drug and vice center of the United States."

BANK JANITOR CHARGED WITH THEFT OF \$5,000.00

TOPEKA, Kans., June 1, — Sidney Harris, bank janitor, Thursday was arrested and charged with the theft of \$5,000 from the National Bank of Topeka. In a signed statement, Harris said he found the money in a teller's cage May 13, and, fearing it might be stolen, hid it in the basement of the bank. He said he was afraid to admit any knowledge of the money when questioned by the bank officials, but later May 20, returned the money. Harris pleaded not guilty.

THE BODDINGTON TRIAL

The trial of Gilbert Boddington, the police officer of Kansas City, who killed an innocent Negro, resulted in acquittal. This is the first time in the history of this community on either side of the river, that Negroes have asked court review of the circumstances surrounding the killing of one of their number by a policeman. The community financed the complaint, one of our own lawyers conducted the prosecution, and though the defendant goes free, the great good remains that everyone now knows we are not to be shot like a hunter does a rabbit.

Out of this trial will come higher regard for us from our white neighbors. Men never understand those who suffer and do nothing about it. Better than the regard will come also self-respect. We have paid a dear price for our neglect of what should have been done the very first time a policeman shot a man he was about to arrest.

This self-preservation idea under which the police shoot first is a confession of cowardice. There can be no excuse for it. The citizen is supposed to heed the warning when a representative of the law speaks and await his investigation. At least the officer can be as slow to shoot as he expects the citizen to be.

But while we are congratulating the Negroes on their stand, we have one regret.

That is the procedure at the trial. On the jury was one jurymen who was himself a police officer, subject absolutely to the same viewpoint as the defendant, and likely also to have in his mind that the defendant has a brother who is one of the city authorities who employ all policemen. It is too bad that Judge Fischer had not knowledge of the boast of one police official that the trial was as good as over, because "we have five men on that jury who will never vote for conviction." Maybe the boast was only words, but that one policeman juror was himself enough to justify the prophecy.

Gilbert Boddington ought not be restored to the police force of Kansas City, Kansas from which he was dropped by the civil service board when he killed this poor victim. He has proved himself unfit. He either shot too quick because he desired to kill, or because he was afraid of what proved to be an unarmed man. With a riot gun in his own hand, loaded and ready, he might have waited for some act easier to interpret than the motion toward a hip pocket which he testified the Negro made. There is plenty of other work which is open to him. The police force is no place for either cowards or killers.

THE EXPECTED HAPPENS

Thursday night a policeman was killed in a scrimmage with a Negro. Of course, the presumption will be the Negro was wrong. But according to reports the Colored man walked into a delicatessen store to make a purchase. Two officers were in the store. They wore no uniforms nor exterior signs or authority. One said he spied a butcher knife in the man's pocket so he told the man he was under arrest and proceeded to take hold of him. The man resisted and in the ensuing struggle both officers were shot, one dying later at the hospital.

Without making any defense of the Colored man, for we know nothing about the affair, we do make the point that it is a mistake to have any number of green, young policemen walking up and down the streets without uniforms or any outward badge of authority.

Plainclothesmen are generally experienced, conservative men and even they show their badges when approaching a man.

We have noted with grave apprehension a number of young men walking up and down the streets and were told they were newly appointed policemen whose uniforms had not arrived. We thought then they ought to be made wear their badges on the exterior of their coats just as motorcycle officers do.

For the most part they are young and have no appearance of having authority and are not likely to impress anyone but a criminal who knows he is guilty. Such a person is likely to be afraid of his shadow.

A Negro was shot by an officer the other day; and officer was shot in a scrimmage with a Negro the other night—he may have shot himself or been shot by his fellow officer.

It looks like the Police School should be re-opened.

\$100 FOR CALLING WHITE GIRLS "SWEETIE"

Being Drunk No Excuse For Colored Man

No official price has been put on calling colored girls "sweetie"—as yet—whether the caller be white or black. But the price to a black man calling a white girl "sweetie" was officially put down as \$50 a call by Judge Dalley in police court Wednesday. One Doval Butt is alleged to have said "Hello Sweeties," to two white girls Tuesday night at 15th and Broadway. He was fined \$100. Donald Butt said he was drunk and did not know what he was doing. But that made no difference with the judge. It appears that Donald might have saved money had he confined himself to the singular number and said "Hello Sweetie"—it might not then have cost him but \$50.

Pistols Leveled At Fleeing Suspect Bullets Enter Houses---Endangering Lives

Early Wednesday morning supposedly Colored—is a town store, grabbed a number of coats and ran. Some one called the police and a patrol load of officers took on the trail. They traced the alleged robber to 9th and Wood alley where they saw Joe Johnson merrily trotting to work in an effort to keep worm. The police officers' informant who was in the car immediately yelled on seeing a Colored man running, "There he goes." The cops called, "Halt." Joe Johnson seeing a car load of police, at once put the fan on and increased his speed. He knew he had not done a thing but he also knew he was a Negro, and that the cops were evidently looking for a

Negro and that any old Negro would do. So he ran. Three or more police officers jumped from the patrol and began shooting at this fleeing man—Shoot To Kill! They did not know whether he was the man they wanted or not, But They Shot to Kill. The alleged crime, if he was guilty, was not a capital crime—so why should they Shoot To Kill? That they did shoot to Kill is proven by the fact after a fusilade of shots Johnson was finally hit in the thigh, showing the pistols must have been leveled at him. Another evience is found in the line of a bullet embeded in the wall of the Chinese Restaurant on Walnut Street near 10th. This bullet showed that any one sitting or standing at a table in this restaurant

would have been hit. A bullet was found imbedded in the door of Beard's shoeshop near 9th and Walnut. This bullet showed any one entering Mr. Beard's shop at that time would have been hit.

All this pronounces shooting took place at 7 o'clock in the morning with scores of people walking to work and passing cars crowded. These people had to run helter skelter in door ways and behind posts for shelter as three or more policemen engaged in this man hunt—not shooting in the air, but shooting At a fleeing suspect.

This thing is too outrageous to let pass with a mere gesture of indignation.

The News calls upon the N. A. A. C. P., the Inter-racial Commission, the Baptists Ministers and Deacons, the Inter-denominational Alliance and kindred organizations to send committees of protest to the Board of Public Safety and call that body's attention to this outrageous conduct of these officers.

The administration is not to blame. The Chief of Police is not to blame. The great percentage of the force is not to blame. But the fact remains that there are officers on the force who have no regard for anybody who is Colored. They have no conception of their duty to citizens. They think if the suspect is a Negro that gives them the right to black-jack or shoot him with inpurity. Johnson was shot because he was a Negro.

What kind of a policeman is it who will Shoot To Kill at a mere suspect whose offense at the greatest was not a major felony?

What kind of policeman is it, who will endanger the lives of scores of people while he shoots with rotten aim at a fleeing man—he suspects?

He is unfit to be a Police Officer.

This thing is an outrage of the most serious kind. If Negroes let it pass without protest—then they deserve whatever they get!

OFFICER WHO SHOT COLORED MAN WITHOUT EXCUSE OR REASON TO BE TRIED BY BOARD OF SAFETY

MAYOR, CHIEF OF POLICE DECLARE THEY WILL NOT STAND FOR

ROUGH STUFF REPUTABLE CITIZENS SAY SHOOTING WAS OUTRAGE EXTRA

Since the story of the shooting of a Colored man by a policeman, found below was written, the Board of Safety has suspended the officer, Joseph Connelly, and is preparing charges against him.

The Editor of The News has been asked to get the names of witnesses and the Board will summon them to the trial of this man.

Why was Warley asked to do this? Because Warley was the only man who was indignant enough to take the matter to the Mayor and Chief of Police. Where were all the big race lovers? Where were all the people who are so indignant over Negroes getting "beat up?" Down at the back gate raising hell—But Warley crooked, corrupt, crazy Warley went to the bat for this Negro as he has done for scores of other Negroes. Warley was fired a number of times off the

Great excitement prevailed at 15th and Chestnut streets Sunday afternoon when a police officer shot a Colored man who lay prostrate on the street after having been laid low by a policeman's blackjack.

The affair happened about 2:30 p. m. Sunday. It was witnessed by a score of reputable citizens whose testimony was unanimous that the deed was inexcusable.

It is charged by these witnesses that two policemen had arrested a white man. They went into a store at 15th and Chestnut streets to call the wagon. A Colored man was sitting on a bread box outside the store. When the officers came out, it is said, one of them said something to the Colored man.

The next seen was the policeman struck the man. It is said the man struck back and the fellow officer then hit the Colored man who went down. While this man was lying prostrate on the street, it is said, the first officer deliberately walked up to him, pulled his pistol, shot him in the leg and kicked him in the head.

This act of unreasonable brutality is testified to by such men as Mr. Ben Winlock, insurance man; Mr. Clarence Marshall, auto salesman; Mr. W. H. Hunter, shoemaker, and others. Excitement was high. Men like J. E. Smith and Captain Abe Simpson and others looked for the policemen after the deed and it seemed serious trouble would come off. But the officers could not be found.

They reported to their superiors the man had resisted and they had shot him as he ran. This is denied by the people of high standing and character mentioned above.

The editor of The News took it upon himself to get some of these witnesses to go before Mayor and Chief of Police Monday. Finding none, he re-

ported the matter to the Chief, do not get a single Colored vote, as long as I am Mayor he had had no report of the affair and gave orders that the Captain of the district make a report. He also told the Editor to get witnesses and bring them up. He declared the administration would not stand for any such stuff, that he had given orders, no man, white or Colored, should be beaten by officers unless it was absolutely necessary and that if this officer was guilty he would be fired. Wednesday, Mr. Warley and Mr. Ben Winlock went before the Mayor, and Mr. Winlock told of the outrage as he had witnessed it. Col. Haager again expressed himself as against roughness on the part of the police and declared this case would be thoroughly investigated. He said he had been handicapped by Republican police resigning overnight leaving him to fill their places with green and untrained men. He also said there were a number of Republican police who did everything they could to embarrass the administration and Colored just felt like every policeman was a Demo-

Cracy. The Mayor's declaration was longer and stronger than this and was in marked contrast to the actions of Mayor Huston Quinn when the two Colored teachers were arrested and roughly handled by park policemen, who arrested them and put them out of Iroquois park, leaving 50 little Colored children out there without anybody to guard or guide them.

When this outrageous offense was committed, nearly every Negro—high and low—good and bad was aroused to a fury.

A delegation headed by Rev. C. H. Parrish called on Mayor Quinn to protest against the outrageous treatment of the teachers. Before Mr. Parrish could get started Mayor Quinn threw up his hands and declared he did not want to hear anything about it. With that, Mr. Quinn left the room, leaving Rev. Parrish and 15 other Colored men of standing, Standing There.

Mayor O'Neal's and Chief Haager's stand was altogether different and far more decent than was the treatment of Republican Mayors, Chiefs of Police and Boards of Safety when Colored citizens went to protest over the brutal murder of Gazzaway in the Clay St. Police Station; over the

The Mayor said: "I am not talking politics, and even if I

murder of a 14 year old boy at 8th and Walnut streets; over the killing of a Colored man at 15th and Walnut, when Ezell, or Hazel, jumped on the running board of his car and shot him to death for no crime at all.

The News makes no more defense for this shooting Sunday than it did for the 27 Negroes shot to death by Republican police. Mayor O'Neal is no more to blame for the crazy actions of individual police than were Mayors Will, Quinn and Smith for the killing of the 27 Negroes.

But the difference is this: Mayor O'Neal, his Chief of Police and his Board of Safety denounce this outrage and declare they will try the officer guilty of this.

Did anybody ever hear of the Republicans investigating or trying any officers for beating shooting or killing Negroes? Many Negroes were indignant then but they are willing to try the Republicans again.

And note this, please: It was William Warley who took many cases before the Republicans, protesting against outrages against Negroes. It was William Warley who took this case to the authorities—to the Mayor and Chief of Police. It was Warley who dug up the witnesses and presented them and their testimony to the officials. Of all the witnesses, of all the Republicans angry and indignant, none went up to protest. But it was Warley and The News who worked this case up.

Does that mean anything to Negroes who applaud Mr. Clark Otte, who says Warley "is crooked, corrupt or crazy?"

Crime - 1927

TRIBUNE
NEW ORLEANS, LA.

DEC 15 1926

GET JOES

"JONES escaped." This concludes a brief account of the killing of one negro and the wounding of three others, two of them women, by Jones last Monday night. It was an ordinary brawl, with the usual ending. The police have Jones' name, his description, and his address. But they haven't Jones—yet.

They should make every effort to get him. Too many such stories end with that sentence, "The killer escaped." That is one reason why so many stories of the kind have to be reported. Another is the too few convictions in murder cases and the too-prevailing attitude among prosecutors and judges of considering lightly such brawls, cuttings and shootings among the colored people.

We have frequently emphasized the need of sustained police activity in such cases, the need of more captures, more trials, and more adequate sentences, and the need of a more serious attitude by prosecutors, jurors, and judges. The safety and welfare of both race require these things.

Jones should be caught if several detectives and policemen have to be assigned to the case and even if these have to be taken from the futile chase of handbooks in order to be able to give their full time to this case. It is "just a negro murder in a brawl over a woman but it is typical of cases so numerous that they endanger the welfare of both races.

TRIBUNE
NEW ORLEANS, LA.

APR 14 1927

NEGRO MURDERS

THREE negroes have been indicted by the Orleans grand jury for murder and one for manslaughter. All the cases seem to involve the killing of other negroes. The effectiveness of the prosecution of these cases will be observed with interest, as an indication of the district attorney's determination to discourage this sort of crime.

The respectable and law-abiding negroes are particularly in need of the best services that the enforcers of the law can render in such cases. They deserve it. Unless they receive it, the lawless class that preys on them is encouraged to excesses, until its members break into aggressions against white persons. This is a selfish consideration, in the interest of uniform and careful pressure in the functions of public justice.

NEGRO GIVEN APPEAL.

FERRIDAY, La., April 11.—A new trial has been ordered by the supreme court for Leroy Brice, Ferriday negro, convicted in this parish for manslaughter. The supreme court upheld the appeal that the district attorney in arguing to a jury of white men had made an appeal to prejudice.

Racial Hatred Enters Southern Murder Trial

Franklin, La., Aug. 12.—This town last week became a hotbed of racial hatred when it was announced that several persons of one group had been summoned to testify as to the trusts made by Dr. Alexander and Mrs. Le Boeuf, both white, who were sentenced last Friday to die for the murder of the woman's husband, last July. Many whites protested the summoning of the witnesses on the ground that it was strongly against the popular prejudice of the region to have members of the race testify against white persons, especially women. Strong indignation was shown against the attorneys for having taken this action.

BANNER
NASHVILLE, TENN.

JUN 26 1927

REWARDING VIRTUE.

Down in Louisiana virtue is to be rewarded under very unusual circumstances when several hundred convicts in the state penitentiary are

Louisiana.

given remission of sentences in recognition of their heroism and devotion in fighting the flood. When the emergency caused by the waters of the Mississippi river became desperate, approximately six hundred convicts, most of them Negroes from the state farm, were called into action in the effort to preserve the barriers that stood between the countryside and ruin. Conditions were such that elaborate methods of guarding were out of the question. The situation was explained to these men and they were left to work out their own code of ethics and govern themselves accordingly. Only one man took the easy chance for freedom thus afforded, and after a few hours, struck suddenly by the fact that he was a deserter and was leaving his comrades when he was needed, he voluntarily returned and took up his labors again.

These men in prison garb who worked and fought day and night to avert disaster for the very state which had punished them were not the only heroic figures the prisons produced. Back of the lines there were women from the penitentiary who toiled day and night to provide food and drink for the workers along the levee. There was no flinching and no complaint from these convicts, much less mutiny or desertion. They were in the front lines of a most perilous conflict and their chapter of the volume of bravery written during the flood is not the least inspiring. In many ways, their record is the most remarkable of any. Branded as undesirables and offenders against law and order and society in general, they rallied to the cry of distress and did their utmost to save lives and property. They were surpassed by none in their faithfulness and daring. They faced death without a whimper and with the gloomiest of prospects for life if death was escaped.

It is entirely fitting that Louisiana should recognize the service of these convicts as fully and generously as the law allows. In many instances the remissions planned will result in dismissal from the prison, and that is as it should be. Whatever their previous offenses, these convict flood fighters have proved their possession of many of the finest qualities men may possess: courage, the spirit of self-sacrifice, and the ability to govern themselves under circumstances of phenomenal danger. The conduct of these prisoners likewise indicates far more than an ordinary amount of intelligence somewhere in the methods of prison discipline Louisiana is employing. When the need developed, these convicts were men worthy of the name.

TRIBUNE
NEW ORLEANS, LA.

JUN 20 1927

"GUN-TOTING"

JUDGE WALTER WHITE'S condemnation of "gun-toting," while sentencing a Hancock county negro to life-imprisonment for murder, is so well taken that we want to call it to the attention of the law-abiding colored people and their leaders everywhere. The practice is as common, if not more so, here as in Mississippi.

"The testimony in this case," Judge White said, "shows that before you started out on the public highway you armed yourself with a deadly weapon, without respect for the rights of anybody but yourself.

"The carrying of concealed weapons by members of the negro race does more to keep the race back, than any other thing they do. White men, as a rule (and of course there are exceptions to that rule) do not carry weapons with them when they start out in their automobiles. With your race, the rule in starting for an automobile ride seems to be that you start armed.

"NEARLY every negro in this country has some kind of a weapon. The women carry razors in their stockings and the men carry pistols. They kill each other. Sometimes they escape punishment and sometimes they do not. The reason they escape punishment, when they escape it at all, is because of the criminal instinct in the negro race that causes negroes to shield and to protect violators of the law.

"If a white man commits a crime, and other white men know of it, they are ready to deliver him to the law, and to see that the law is enforced. If a negro commits a crime, the average negro is ready to come to his rescue, to lie for him, to commit perjury in order to clear him. For that reason, the people of your race kill each other, and go free."

THIS defines one of the direct causes of much of the friction between the races, and of most of the violent crime among the negroes themselves. The "gun-toting" habit and the instinct common among the colored people to shield offenders from the law, to refuse to give the law any aid or information, are major causes. They work together. The colored leaders could do nothing more effective to aid the progress of their race and to promote better relations between the races, than to fight these

two things.

To discourage gun-toting would reduce the number of violent crimes by negroes against negroes and white people as well, thereby making the law-abiding colored people safer and avoiding the incidents which arouse friction between the races. For the negroes to abandon this foolish practice of protecting colored offenders from the forces of the law, for them to co-operate more fully with the officers of the law, would reduce still further these crimes and this friction. The law-abiding elements of both races would be safer. And a good deal of friction and ill-feeling between the races would be avoided.

FIFTEEN-YEAR-OLD GIRL IS HELD AS A FORGER

NEW ORLEANS, LA., AUG. 17.—All for candy, two dollars with which to "buy candy and trash," Doratha Harrison, 15-year-old Negro girl of 3022 First street, faces a possible five-year prison sentence and a fine of not more than \$5000 for having raised a ten-dollar postal money order which her mother sent her to cash.

In a reported confession the girl is said to have admitted to Postoffice Inspector Peterson that she changed the word ten on the money order to read twelve, cashed the order on her mother's endorsement at a neighborhood store, pocketed the extra two dollars and "spent it on candy and trash."

MAN IS ARRESTED IN NEW ORLEANS STATES HOLDUP

New Orleans, October 4.—(AP)—Charles Bunion Swindell, arrested today in San Antonio, Texas, will be returned to New Orleans to stand trial in connection with the shooting during a \$5,844 pay roll holdup yesterday of Douglas Acorn, cashier of the New Orleans States, Superintendent of Police Thomas F. Healy announced tonight.

Swindell was arrested at the request of Superintendent Healy as he stepped from aboard a train from New Orleans. Witnesses viewing photographs in the police identification bureau here yesterday said Swindell was "something like" the man who shot Acorn after snatching a satchel from his hands as he was entering the States building.

WIFE IS IDENTIFIED BY HUSBAND; PROBE OF MURDERS STARTS

Head and Legs Severed From Torso in Crude Fashion To Fit Into Trunks Which Are Left Unlocked

PRISONER SAYS BROTHER PROBABLY GUILTY PARTY

Victims Were Wives of Brothers; Children and One Accused Man Missing

NEW ORLEANS, LA., Oct. 27.—(AP)—The dismembered bodies of two young women, both mothers, were found in unlocked trunks in a French Quarter apartment house here today and in a statement to police tonight, the husband of the oldest of the two women, Joseph Moity, attributed their deaths to the work of his brother, Henry.

Henry Moity, who is missing was insanely jealous over attentions his wife was accepting from other men, Joseph said, who added his belief that both women were killed to cover up the crime or to avenge alleged wrongs to both husbands.

Ships that sailed from here today were radioed by Assistant District Attorney Chandler Luzenberg to watch for Henry, who was quoted by acquaintances as saying he was contemplating a "long sea trip." The cheap lodging house district was combed for him without results.

Bodies Mutilated.

The decapitated and otherwise badly mutilated bodies of the women were found stuffed into the trunks. In the trunk with the body of Mrs. Henry Moity was found a knife, two feet long and of the variety used in chopping cane stalks. Police said it was used in hacking the bodies to pieces.

Examination revealed that both women had been struck over the head with a policeman's club. Henry Moity at one time was a special policeman and is believed to have retained his club.

Shortly after the bodies had been found by two insurance agents who were called to the scene by a negro woman who reported finding blood stains in the doorway leading to the apartment jointly occupied by the two families, police arrested F. Kimmel whose name was found penciled on the wall. They said he was wanted for questioning although he did not face detectives assigned to the case after being taken before them on his arrival at the police station.

Husband of One Victim Surrenders.

Joseph Moity surrendered three hours after the bodies were found and established their identification. He said both he and his brother Henry had been experiencing trouble with their wives because of attentions they accepted from other men. Joseph said following a quarrel with his wife on Tuesday night, he removed his two children to the residence of his parents in New Iberia, La., and rented himself a room several blocks distant from the apartment of his wife.

The heads had been severed from the bodies and placed in the bottom of the trunks. The legs had been crudely chopped so that the remainder of the body might be fitted tightly into the trunks. One of the bodies was entirely nude; the other bore only a girdle. A bed in one of the rooms apparently had been used for the gruesome surgical performance.

Seen Late Wednesday

Neighbors said that the women had returned to their apartments late yesterday afternoon after an outing. Police believed that the crime had been committed during the early morning hours, basing their belief upon a report of neighbors that they had heard the cries of a child about 1 o'clock.

A man who occupied an apartment in the same building was taken into custody for examination.

Another man, F. Kimmel, was questioned at the house of detention. His name was found scribbled on a wall in the death chamber, and he had been arrested late yesterday at the Moity house after a disturbance.

The Moity's had come to New Orleans several weeks ago from New Iberia. Neighbors said that the two young women were well behaved and that their husbands bore good reputations. Neither of the two women had been seen today.

The news of their discovery spread and shortly after police arrived several hundred persons thronged the narrow streets of the French quarter in the vicinity. The crowd soon became so dense that ropes were stretched to hold it back.

Superintendent of Police Healy, who took charge of the investigation, pronounced the crime "the most horrible butchery" in his experience. "The murderers in committing this crime exhibited a fiendishness that only the authors of the most diabolical crimes in American criminal annals could approach," he said.

HOMICIDES SHOW INCREASE DURING 1926

25 More Violent Deaths Recorded Than Took Place In 1925

TWO ARE EXECUTED ON THE GALLOWS

Isaac Benson Asked Judge For Death Sentence Following Trial

Homicides throughout the city during the year 1926 made a decided increase over the previous year and ended with 69 persons meeting an untimely death, 25 more than were killed the year before according to a survey of Municipal records this week.

Of this number 40 were colored all of which, with the exception of two, were killed with malicious intent, and met their death through attacks with weapons. The records reveal that 29 of the last named group were shot to death, 8 were stabbed, two burned by having been struck with a lighted lamp and one choked.

Two Die On Gallows

The most revolting crime of the year which ended in the death of three, was the double murder perpetrated by Isaac Benson, who cut his sweetheart's throat then shot her lover to death. Benson was also hanged in the Maryland Penitentiary when he requested that he be sent to the gallows when arraigned for the slayings.

Benson was one of the only two persons to be condemned to death during the year, the other was Richard Reese Whittemore, white bandit. There was the difference of one week between the two hangings.

The next outstanding tragedy of the year was the rampage of Vannie Lee, a shell-shocked war vet-

eran, who endangered the lives of persons in the Northwestern section with a brace of guns, wounding eight and killing two Northwestern District patrolmen before he was himself shot to death by officers.

Murder Still Mystery

One of the murders that the police were unable to get clues was the mysterious murder of Belle Bishop, a woman of whom the police could learn little, who was shot in the head by an unknown assailant as she was making a purchase in a small corner store. The woman had her back turned to the entrance and was facing the counter when a bullet came through the display window and struck her in the base of the skull, killing her instantly.

The only clue was a small hole in the window, which was not even cracked. The only eye-witness, was a white woman 90 years of age, who was so shocked by the tragedy that she lost her memory and speech. Arrests were made all over the country but the mystery is still unsolved.

Flapper Murderess

Vergie Brooks, a young girl of 18 years, went on record as the youngest female slayer when she shot her lover, Harry Fisher, to death after their return from a week's orgy in a seaside hotel, and he jilted her for another woman.

The year closed with one of the most horrible tragedies on record when on Christmas night, Mrs. Amelia General, a woman of sixty and a hatchet found nearby led the police to the conclusion that the woman had been first murdered and then set on fire.

3 Negroes To Be Hanged At "Pen" After Midnight

First Triple Execution In Baltimore To Take Place Early Tomorrow.

The first triple hanging ever held in Baltimore will take place shortly after this midnight, when three Negroes will be executed at the Maryland Penitentiary.

Two of the men, Otti Simmons and Arthur Swann, were found guilty of murdering Joseph E. Carpenter as he was returning to his home near Rison, Charles county. The Negroes, who are natives of the same county, killing Carpenter during the course of a hold-up on January 8.

The other Negro, William H. Ross, received a death sentence for killing Mrs. Lottie McElfresh, of Thurston, Md., on June 13. He is said to have attempted to assault the woman before killing her.

BALTIMORE, MD.

SEP 9 1927

THREE NEGROES ARE HANGED IN PENITENTIARY BALTIMORE, MD

Triple Execution Occurs Shortly After Midnight.

TWO CONVICTED OF SAME CRIME

All Sentenced For Murderers Committed In Counties.

Three Negroes—Otti Simmons, Arthur Swann and William H. Ross—were hanged early this morning at the Maryland Penitentiary, paying the penalty for two murders in Maryland counties.

They were attended by the Rev. Eugene A. Martin, Penitentiary chaplain. Patrick J. Brady, warden, directed the triple execution.

First To Die.

The first to die was Swann. The trap was sprung at 12:13 A. M. and ten minutes later the prisoner was pronounced dead by Dr. Charles W. Edmonds, Penitentiary physician, and Dr. J. Frank Powers, of the City Jail. Simmons was the second to die. At 12:29 the trap dropped and he was pronounced dead at 12:45. Ross was executed at 12:46 and the physicians said life was extinct nine minutes later.

Two Convicted Of Same Murder.

Simmons and Swann were executed for the murder of Joseph Edward Carpenter, an employe of the Indian Head Proving Grounds, who was shot during a hold-up near Rison, Charles county, January 8. The Negroes were arrested that night and were tried separately before juries. The Court of Appeals dismissed a request to review Swann's case.

Ross, alias Kelly, was convicted of killing Mrs. Lottie McElfresh, of Thurston, Md., June 13 during an attempted assault. Ross was captured on the Monocacy river by a posse and was tried by three judges at Hagerstown.

Why The Monopoly?

The slaying of a local policeman by a criminal he was about to arrest is a regrettable local affair.

Little better or worse is it than the seven other cases in which local police have been killed in the line of duty during the past thirty years.

It's significant, however, that half the number of police killings have occurred in the Northwestern District. Of these, two were killed by a mad man, and one by a white gunman.

These figures do not prove it, but the AFRO is frank to state that the anti-police sentiment in the northwest is more pronounced than in any other section of the city.

There are two reasons for this. One is that no other group of police is as free in the use of its guns, black jacks and clubs as the Northwestern District men.

The feeling in the community is that rowdy acts of police must have the backing of Police Captain Charles Lastner else they would not persist after continued complaints have been filed, and police rebuked in the open court by the criminal court judges.

The AFRO has said before that the northwestern police as a whole could well afford to take lessons in deportment from the Northeastern District where a policeman can make an arrest without having "to subdue" his prisoner.

The other factor in anti-police sentiment in Baltimore is the question in the public mind why any single race should have the monopoly upon service as peace officers.

Why is there a virtual agreement between Governor Ritchie and Police Commissioner Gaither to bar colored men from the police force, by keeping them from taking preliminary examinations?

There are policemen on the force of limited intelligence and limited information about the city. The pay is that of ordinary labor.

Why, the community asks, are the posts open to those who possess certain complexions rather than certain definite police qualifications?

It's difficult for a black American of six generations to understand how for example, a German of this generation can land on the police force from which he with superior qualifications is barred.

The community understands by now what race prejudice on the city police force amounts to and the colored part of the community, however quiescent it may seem, resents it bitterly.

The AFRO deplors the type of Maryland Free State logic which argues that a black man can not drive a city garbage cart, push a street sweeper's broom and swing an espantoon in his own neighborhood.

If black folk had a chance at the job and failed, there would be some reason for it. If Baltimore were any different from other cities there would be some reason for it.

The AFRO has laid before the governor and commissioner letters from nearly a score of cities, larger and smaller than Baltimore, which employ colored police. Some of them are as close as Philadelphia and Washington. Some are as far south as Knoxville, Tenn., Tulsa, Okla., and Austin, Texas.

Washington, Philadelphia, Chicago and New York have each nearly a hundred colored policemen. Letters from police heads printed on another page show three such police officers in Knoxville, 20 in Indianapolis and 123 in Chicago.

In Baltimore there is not a single colored person connected with the police department in any manner.

Isn't it an anomaly that any one group should desire the unlovely and hazardous job of "policing" another?

Is it not to use the words of Mr. Edward F. Frazier "a species of insanity" on the part of the state officials who say that white men only shall have the monopoly on being shot to death preserving peace and good order in our neighborhoods?

We express again our regret at the slaying of Policeman William F. Doehler. We hope that the slayer will be captured and not "beaten to death," as have understood from threats of police, but convicted and punished by the proper authorities.

To this hope we add the assertion that the blood of officer Doehler should be laid at the door of three officials, Captain Lastner, Commissioner Gaither and Governor Ritchie, whose policy of repression and prejudice sent him to his death.

TRY TO IMPLICATE RACE IN SACCO DEMONSTRATION

Report Is Broadcast That Colored Girl Attempted To Fire State House

Boston, Mass., Aug. 10.—In what appears to be a well-laid plan to further cast aspersions on the Negro race a report was broadcast throughout the world Saturday morning to the effect that Mary Harris, a 14-year-old mulatto girl attempted to set fire to the State house, but was frustrated by a guard. She was seized, it is said, as she was trying to ignite a section of the building. Superintendent of buildings and grounds stated that the girl had refused to identify herself further than to tell her name. It is believed by police that she is a Sacco-Vanzetti sympathizer. It is also reported that she is not a Negro girl but a dark-skinned Italian girl. Police are making an effort to find the girl's identity.

TRY TO IMPLICATE RACE IN SACCO-VANZETTI DEMON- STRATIONS

(Preston News Service).

BOSTON, Mass., Aug. 8.—In what appears to be a well-laid plan to further cast aspersions on the Negro race a report was broadcast throughout the world Saturday morning to the effect that Mary Harris, a 14-year-old mulatto girl attempted to set fire to the state house, but was frustrated by a guard. She was seized, it is said, as she was trying to ignite a section of the building. Superintendent of buildings and grounds stated that the girl had refused to identify herself further than to tell her name. It is believed by police that she is a Sacco-Vanzetti sympathizer. It is also reported that she is not a Negro girl but a dark-skinned Italian girl. Police are making an effort to find the girl's identity.

SACCO-VANZETTI AND GARVEY

Evidently there is virtue in radicalism if it is carried to extremes. Public officials and public works are today objects of grave concern guarded as never before even during the World War, because Massachusetts has found guilty and sentenced two radicals, Sacco and Vanzetti. There was nothing extraordinary about the crime of which they are accused. They are radicals, anarchists we used to call them. Both in this country and abroad, in Massachusetts and in other states, sympathizers with Sacco and Vanzetti have promised stern reprisal if the death sentence is carried out.

While radicals who set off bombs are causing a governor and the supreme court of a great state to consider how they can stay their hand, an outstanding Negro radical sits behind the gray walls of the federal prison at Atlanta. Marcus Garvey killed nobody, his sympathizers set off no bombs, held no demonstrations and threatened no officials. The whole Negro group in America continued loyal and law-abiding though they knew he sought to help the race, whether they agreed with his methods or not.

The government which confines the Negro radical, is all aflutter trying to recant the condemnation of two foreigners. There is so much difference in the treatment given the two cases that we are convinced that what counts is the attitude of the friends of the convicted men, the determination of the one set to make reprisals, the easy acceptance of the verdict by the other. These "one hundred per cent Americans" are contemptuous of both, but they fear the friends of the foreigners and are careless about the friends of Garvey.

Garvey's imprisonment is not punishment for an individual's misconduct nearly so much as it is the expression of contempt by a white majority for a black minority's hope that some day, some where we may be men, free of any necessity except duty, which we share equally with all men.

The evident concern of Massachusetts and the national government about what the radicals may do is fully justified. The unrestrained, intemperate use of might in relations between man and man sooner or later breeds reprisal.

A DISAPPOINTING DECISION

When Governor Fuller of Massachusetts handed down his recent decision in the Sacco-Vanzetti Case, a great wave of disappointment swept over the entire civilized world. Not since the famous Dreyfuss case in France has a trial aroused such international interest. For seven years these two Italians have, with the assistance of an energetic and resourceful defense committee, fought desperately for their lives. To their assistance some of the finest legal minds in the country rallied. Distinguished attorneys quite as able as Governor Fuller or any member of his investigating committee of three have, after studying the evidence, expressed considerable doubt as to the guilt of the accused.

The two men were arrested at a time when the red scare was at its zenith, and being avowed anarchists and aliens to boot, it is more than fair to assume that both the judge and the jury were prejudiced against them. Certainly the atmosphere at the two trials was hardly conducive to the rendering of an impartial decision. Sentenced to die in the electric chair the week ending August 13, the investigation of the Governor and his committee constituted the last straw for the accused. Now that has failed them.

But organized labor and liberals the world over are not sitting idly by. Having given generously of their time, money, brains and energy for seven years in an attempt to free these men from the clutches of the law, they are now redoubling their efforts. Threats of a general strike are heard and stupendous mass meetings assemble in protest in every part of the globe. Meanwhile those handling the defense are preparing to carry the case to the Supreme Court of the United States.

Because of what our flesh and blood have suffered through prejudiced judges and juries we Negroes can sympathize with these two men. We, too, have had our sons railroaded to the gallows or to life imprisonment in the fiendish southern prisons on the flimsiest evidence. We, too, know what it means to face a prejudiced court. What we do not know sufficiently well as yet, and what we can learn from this Sacco-Vanzetti case, regardless of its final outcome, is the value of eternal vigilance and persistent propaganda. Had it not been for an aroused international public opinion (aroused by an unusually energetic defense committee) these two men would have been executed years ago and the case would have been forgotten. As it stands today, and in view of the temper of the public, the outcome is difficult of prophesy.

Crime-1927

NEGRO CONFESSES TRUNK OWNERSHIP

Skull Mystery Partially Solved;
Letter From Convict to
Sister Gives Clue

CHICAGO, ILL., Feb. 13.—(AP)—James C. Coyner, negro serving a sentence in prison at Michigan City, Ind., for grave robbing, today admitted to the prison warden that he owned a trunk in which four women's skulls were found at Ferndale, Mich., near Detroit, but denied any knowledge of how the skulls came to be in the trunk.

Coyner, serving a sentence for robbing a woman's grave at Hammond, Ind., remained steadfast in his denial of connection with the Detroit case despite letters he had written to his sister in Chicago asking her to get his trunk and urging haste because he said they "might find something else on me, and if they do, I am through forever."

While Detroit authorities intimated they would drop the entire case unless evidence of murder is uncovered, Chicago authorities were conducting an investigation in the vicinity of Bernice, Ill., near Chicago, where Coyner once was employed, on a theory that he may have obtained the skulls there, either by robbing graves or by slayings.

There was also a theory that Coyner may have been the man who attacked and killed or wounded several women in Toledo about 18 months ago after officers who arrested him recalled that he had said he was in Toledo about the time of the attacks. There was no further evidence to support this theory, however.

Prison officials at Michigan City said they would take no action unless asked to do so by Michigan authorities and this request, Detroit officials indicated, is unlikely unless further facts are brought out.

The letters from Coyner to his sister were found by the police at the sister's home today.

In one letter written last November Coyner asked his sister to smuggle hack-saw blades to him and added:

"You all do not know my trouble. I have not had a chance to tell you. This may not amount to anything here, but there is something else. If that comes against me, I am through forever."

In another letter he said: "They may find something else on me, and if they do I am through forever. Don't let George be too slow or it may cause me to lose my freedom forever."

He referred in this letter to another negro by the name of George Robinson whose aid he asked his sister to enlist and who has not been found by the police.

Detroit Negroes Facing Bad Situation

Police Officers' Treatment
Add To Unemployment
Dilemma

New York, Jan. 24.—Robert W. Bagnall, director of branches of the National Association for the Advancement of Colored People, on his return from a western tour, reports a serious police situation confronting the colored people of Detroit. Conditions are aggravated, Mr. Bagnall reports, by the fact that more than sixty per cent of the Negro workers are now out of jobs or doing part-time work.

"A case was brought to the Branch on the night I met with the Executive Committee," reports Mr. Bagnall, "in which two police officers arrested two Negroes who were fighting, and while one officers was calling the patrol wagon, the other officer beat his prisoner over the head with his night club. The prisoner when attacked had his hands in the air, offering no opposition. After knocking the man to the ground, the officer, cursing, shot him several times killing him. The officer then waved his pistol at the bystanders threatening to shoot them unless they moved back. One of the witnesses was a graduate of the University of Michigan and interne in the Douglas Hospital. The Branch has referred the matter to its attorney, and will seek to bring all available evidence before the inquest, in order to obtain a warrant against the police officer, if possible."

24 Pt. HEAD

Giant Negro Faces Four Human Skulls

Michigan City, Ind., February 15. (AP)—An array of four human skulls and a blood-matted strand of blonde hair today failed to confound James Coyner, the giant negro serving a sentence in the state prison here for grave robbery, when questioned by Michigan authorities regarding the four women's skulls and braided hair found in his trunk at Ferndale, Mich., where he formerly resided.

The grave robber only grinned when

shown the four skulls, but leaped to his feet and shrieked "Take it away," when the blood-stained hair was laid before him. He then took refuge in in the surly silence with which he has baffled the efforts of officers to obtain information from him.

After concluding their questioning, Clyde D. Underwood, prosecuting attorney of Oakland county, Michigan, and George W. Smith, Ferndale chief of police, said they would continue their investigation despite Coyner's refusal to implicate himself in connection with the skulls. They said he had given them enough information to believe him guilty of more than mere grave robbery and returned to Ferndale to follow up fresh leads in the mystery.

NEGRO IS SULLEN IN SKULL PROBING

Convict Withstands Questioning
by Officers on Gruesome
Find in His Trunk

MICHIGAN CITY, IND., Feb. 14.—(AP)—Sullen and defiant James Coyner, giant negro serving a prison sentence here for grave robbing, today withstood hours of questioning regarding four women's skulls found in his trunk at Ferndale, Mich., Detroit suburb, last week, without giving any information to clear up the mystery.

Tomorrow the grave robber will be confronted with the trunk and its gruesome contents. In this manner Michigan authorities who came here to question him expect to break down his churlish silence.

Clyde Underwood, prosecuting attorney of Oakland county, Mich., and George W. Smith, Ferndale chief of police, tonight sent for the trunk which is to be brought here by a deputy sheriff. When questioning is resumed at the prison tomorrow Coyner will be handed the skulls found last week in a house in the Michigan city where he is believed to have resided several months ago.

Coyner, serving a sentence for robbing a woman's grave at Hammond, Ind., today told his questioners that he could tell "about a lot of murders and murderers" and then declared he would rather die than tell what he knew. He referred particularly to what he could tell about Detroit.

The convict said he had been married two or three times. He also had three children, he said. He said he didn't know where any of his children or wives are today. One of his wives, he thought, had been named Thompson and he said he believed he married her in Toledo, O.

Intent upon gaining more information on this point on a theory that Coyner may have been the man who killed or wounded several women, in

attacks in Toledo the officers were disappointed when Coyner refused to discuss further the marriage or to mention his mother.

Coyner denied that he had a sister in Chicago, although Emma Robinson, claiming to be his sister, received letters from him asking her to get his trunk at Detroit and explaining that it might involve him in further trouble if she did not get it. He denied writing these letters or letters to any other relatives but said he wrote two letters to friends whose names he professed not to remember.

GHOUL TOLD SISTER TO GET RID OF TRUNK

Digs Up Woman's
Body Buried More
Than 10 Years

Royal Oak, Mich., Feb. 17.—(Special)—James Coyner is apparently obsessed with a mania for digging up long buried bodies of women. He is believed to be responsible for the "skull" trunk, in which four women's heads were found. Coyner was convicted a little over three months ago for grave robbery at Hammond, Ind., and now is confined to the Indiana state prison.

At the time of his arrest, Coyner told officers that he had committed several murders in Detroit, but a check-up revealed nothing, but with the finding of the skulls there, one of which is said to have been battered, attention was directed towards a murder he was said to have committed in Chicago.

October 26, 1926, it was developed at Hammond, Coyner, dug up the body of a white woman from a grave in Oak Hill cemetery, in which it had laid for over

ten years.

Children Find Bones

He took the bones into the basement of an abandoned house nearby. The following day the bones were found by children playing about the house and the police were notified.

Officers were assigned to investigate the case and after several days of hunting Coyner was seized and he confessed. The Warden of the penitentiary stated that Coyner was a model prisoner and did not believe that he ever committed a murder. But the list of names found in the trunk with the skulls are still puzzling to police. They believe that Coyner had observed the women before they died, and waited until death before robbing their graves.

Michigan.

DETROIT, MICH.

DEC 24 1927

Crimes by Negroes

They Form Only 6.5 Per Cent of Population, Yet Police Report for 1927 Will Show 21 Per Cent of Those Arrested Were Colored: What Is the Reason?

By H. O. Weitschat

(This is the fourth of a series of articles on Detroit's Negro problem. The fifth will be published next week.)

THE hands of the men who sit behind desks in police stations, marking on blotters the names of those accused of crime, write a chapter about the Negro in Detroit that is more of an indictment than anything else entered on public records. Housing and employment are phases of the Negro problem that offer some depressing facts, but they have their bright spots and offer hope of ultimate solution. The crime statistics offer little that is in favor of the black man. You have to go outside the sphere of police records to find mitigating circumstances, and even these do not banish the thought that a good share of the energy expended by the police department is devoted to the colored population.

The Negro and the law haven't gotten along well, and the result has been bloodshed, hatred, and the breeding of deep-rooted prejudices.

When the police department report for 1927 is completed, it will show that about 21 per cent of those arrested for felonies and misdemeanors were Negroes, and the Negro population of the city is but 6.5 per cent of the whole.

If you like your comparisons in another form, here is the result of a study of white and colored arrests over a recent six-months period:

A total of 7,112 Negroes were arrested, against 25,065 whites. For every 10,000 of adult Negro population, there were 1,248.6 arrests; for every 10,000 whites, 370.2. Convictions were obtained in 44.6 of the colored cases, and in 49.3 of the white cases.

The last bit of data, covering the percentage of convictions, is of more than ordinary importance. It furnishes the premise of the black man's complaint that white policemen do not think twice before picking up a colored person on suspicion, or without reasonable cause.

"The Negro is picked up at will and booked on suspicion," said William J. Robinson, editor of Detroit's largest Negro paper, *The Detroit Independent*. "These 'suspicion' arrests pile up an ugly record for the race. They mean nothing, except perhaps that officers do not exercise proper judgment in making arrests. A Negro may look suspicious to an officer because he is raggedly dressed, and idle. That is a sad truth—very frequently he is ragged and idle, but it is not always his fault, for very frequently he is out of work, and being out of work, it is not likely that he will have money for new clothes.

"Leaders of the colored group have made many protests against this readiness to pick up suspects without just cause. There has been some improvement in the police attitude. That has come about since a number of the so-called 'nigger haters' on the force have been

removed. These men came up here from the south, with bitter prejudices against the Negro. They were responsible for much of the trouble. Another circumstance that gives us some encouragement is that, even though a colored person may be the victim of an officer's lack of discretion, we are getting a fairer show from the courts, which often undo a wrong done by the police."

If the statistics on convictions hold good over a period of years, it would seem that the white race has equal grounds for protest about "suspicion" arrests, or by referring back four paragraphs, you will find that the ratio of white convictions is only slightly in excess of that of the blacks.

Of the 7,112 Negro arrests in the six months selected for study, 2,632 carried charges of felony, and 4,480 were for misdemeanors. The nature of colored crimes revealed in the following record of convictions: burglary, 76; larceny, 65; robbery armed, 54; assault, 8; robbery unarmed, 17; murder, 14; manslaughter, 0.

MORE colored burglars were caught and sent to prison than whites, the score of the white thug being 56, against the blacks' 76. More colored persons were arrested for murder than whites, the total for the Negroes being 76 and for the whites 57. Fourteen Negroes were convicted and 12 white persons.

This lusty participation in crime had its natural effect in the colored quotas in state penal institutions. At Jackson prison, slightly more than one fourth of the inmates were Negroes; at Marquette the percentage was 3, and at the reformatory in Ionia, 9.6. Three-fourths of the Jackson and Marquette Negro convicts came from Wayne County.

Explanation for the colored man's collisions with the law are as numerous as patent cough cures. He is assuming a great deal who lays his finger on one fact, a set of facts, and says, "here is what ails the colored man." Certainly, no attempt will be made here to unravel the skein that seems to hold the Negro in a conspicuous position as a breaker of the law. We can, however, present the opinions of men who have looked upon the problem from different viewpoints, and who have good reasons for wishing that situation might be improved.

The late Dr. Arnold L. Jacoby, and other specialists in psychiatry have stated that the Negro, by reason of retarded intellectual development and shorter contact with the refining influences of civilization, has toward the law the attitude of a head-strong child bears toward motions, and to seek vengeance by direct action, rather than wait for the slow and solemn processes of the law. William P. Rutledge, commissioner of police, believes that the trouble in Detroit is an imported one.

"We never had much difficulty with colored folks in the old days," he said. "Not until they started coming here by the thousands from the south did the situation become tense. I guess a lot of bad black men came

long with the good ones. When times became slack, and money scarce, I suppose some of the good ones became desperate, and went bad. Leaders of the colored group are doing much to instill a respect for law in the minds of the more ignorant members of the race. They are trying to rid the Negro colonies of the dangerous element. We are making some progress, but it's slow."

Editor Robinson, of *The Detroit Independent*, says much of the trouble is traceable to the fact that gangs of professional gamblers and other parasites came northward to Detroit from Birmingham, Memphis and New Orleans, at the same time the great migration of job hunters was under way.

"Word went through the south that Detroit was the town for high wages," he said. "The Negro gamblers and other vicious characters of the race flocked to this city to get easy money. I think you'll find that a great many white gamblers came along about the same time, and are still doing business. Anyway, when the shops closed down, and the men were thrown out of work, the easy money was no longer within reach of the parasites. They went out to get it by more drastic methods. They got out their guns and went to work, and the race in general has been made to share in their shame."

"The colored population as a whole is law-abiding. These people have had much to make them otherwise. The frequency with which they are jailed without cause; the ruthlessness that characterizes some of the actions of the police; the struggle they have to keep alive by honest means—all these are elements entering into the problem. I think you will find that most of the crimes charged to the Negro are classed as economic crimes. That is, they resort to force to acquire that which they do not possess, be it money or property. That might indicate that much of the law-breaking can be traced to poverty."

"The Negro who is thrown into jail 'on suspicion,' because he happens to have no place to go, or because his clothing is suspiciously out of mode, is soon thrown into contact with real criminals. If he wasn't a criminal at the start, the chances are he might become one after a few of these 'suspicion' arrests."

OTHERS, such as John H. Dancy, of the Urban League, point out that filth, congestion and other phases of unhealthy housing, are quite apt to lead to immorality, and immorality can easily go hand in hand with crime.

Speaking of youthful offenders, who are likely to furnish the next generation of police prospects, Judge Henry S. Hulbert, formerly of the juvenile court, has been quoted as saying that a white child would turn out no better than the average black baby, were he reared in similar surroundings.

Then you have a group of white folks—the thumbs down contingent—who will tell you that the Negro is plain "ornery," too shiftless to work, and ready to steal whenever there is opportunity. A pet opinion of this group is that the Negro new from the south starts feeling his oats when he sniffs the free northern air and begins at once to trample on the rights of his fellow citizens of the other race. "They'd never dare act that way where I come from, down south," and so on.

Here one might impart a bit of news that has not been given general circulation.

Southern-born applicants no longer find employment on the Detroit police force. The down-south attitude toward the Negro proved effective only in the rolling up of a heavy casualty record.

The red year was 1925. It was a year of race riots and pistolling. Four policemen were shot down by Negroes. Fourteen Negroes were sent to the graveyard by police bullets. In that same period, only three Negroes were killed in New York city, with a colored population 100,000 greater than Detroit's.

The New York comparison, standing without comment, is not a fair one. Conditions were not so ab-

normal, where, in Detroit, the black folks were reaching out for new room for housing. White neighborhoods arose against them. Neighborhood fights aroused prejudices throughout the city.

The operations of Negro thugs put policemen on their guard. Conditions became so acute that the press, fearing it might incite further trouble, deliberately refrained from publishing further accounts of race trouble. Policemen were set on when they tried to make arrests in colored districts. The order went out to take no chances, and it seems that the policemen didn't.

They started shooting, and the colored press started yelling "murder." Two women were among the victims, one of them dying a few moments after giving birth to a child. An attempt has been made to investigate the killings. The conclusions are as conflicting as are most judgments touching upon race problems.

The slain Negro, described in the columns of a colored newspaper, is a law-abiding citizen, member of a church, a steady worker. He was shot down while rocking his baby to sleep or playing a harmonica on his front porch.

The police report will allude to the same person as a bootlegger, gambler, or dope peddler. In virtually every case, the officer shot when the man made a motion as if to draw a weapon, or actually did draw one. Somewhere between these extremes is the unbiased truth. We don't happen to have the requisite number of operatives to try and get it.

COMMISSIONER Rutledge maintains that investigations have failed to upset statements of his officers that they shot to protect themselves. He doesn't intimate, however, that the presence on the force of "nigger haters," either southern born, or northerners of Ku Klux kidney, was responsible for at least a share of the warfare.

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"We've stopped appointing them to the department," he said. "These southerners didn't make good officers. We want men who'll protect the rights of a Negro as they would a white man's. I think we have that type of men at work now. Only the other day, in a colored district, I saw a white officer teamed up with a black one. They were working together. I saw 22 colored officers on the force now. A white officer helps us

The police policy should dispose of the mouthings of that chivalrous element from Mississippi, Suh—or Kokomo, Indiana—which would like to put a gun or a black-snake into the hands of white men, and then have them go out and prove their inherent superiority.

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Crime - 1927
**NEGRO IS CONDEMNED
TO DEATH FOR ATTACK**

Jury at Wodville Reaches Verdict in Four Minutes.

NATCHEZ, Miss., March 30.—Jack Emberly, negro charged with attacking a young white woman at Stephenson, Wilkerson County, about 10 days ago, was convicted today at a special term of court at Wodville, and was sentenced to be hanged on March 31 by Judge R. L. Corban. A verdict was returned by the jury in four minutes.

Immediately after the sentence had been passed, Sheriff Fred Wood left with the negro for some unknown point where the convicted man will be held until the time set for his execution. The trial started about 10 o'clock this morning. A jury was quickly empaneled and on account of the conclusive nature of the evidence against the accused, the proceedings were brief. Spectators were excluded from the courthouse and the trial was quiet, orderly and attended by no demonstrators.

NEGRO GETS MISTRIAL

YAZOO CITY, Miss., April 22.—The case of Mississippi vs. John Fisher, Coahoma County negro, tried here yesterday on a charge of ynuue following conviction in Coahoma County for the murder of Grover Nicholas, white merchant and planter, on Oct. 15, 1925, and reversing of decision of the supreme court, ended at noon today in a mistrial, the jury having been out with the case since midnight.

It is said that on the first ballot the jury voted 10 to 2 for acquittal and on the last ballot 10 to five for conviction.

**LIFE TERM
FOR SLAYER
OF NEGRO**

**Mississippi White Youth Is
Sentenced In Quick Time
Others Will Be Tried On
Murder Charge**

Special to the Argus.

PONTOTOC, Miss., April 27.—Walter Lowrey, white youth who shot and killed Leo Betts, colored, near Bankhead on the Bankhead Highway Sunday evening, was arrested Monday, plead guilty Tuesday and was sentenced to life imprisonment. This is the quickest conviction ever had in this country. Lowrey says he thinks the penitentiary the proper place for him and seems glad to get off with the sentence. He will be sent to the penitentiary.

The other boys who were with him when the killing occurred are now in jail and their cases have not been called. It is understood that they were all indicted as accessories by the grand jury now in session.

**NEGRO LIBERATED
IN MURDER HEARING**

**Mississippi Whites Raise Defense
Fund; Husband of Slain
Woman is Held**

BOONEVILLE, MISS., April 8.—(AP)—Jack McGee, negro, held in connection with the murder of Mrs. N. R. Clayton here on the night of March 3, was released in a habeas corpus hearing late today when three witnesses failed to identify him as the man they saw running from the Clayton home on the night of the murder. Three witnesses were arrested on charges of perjury after the hearing and released on bonds of \$500 each.

The witnesses charged with perjury are J. O. Side, Lumberton, and L. A. Myers, and Clarence Burge, both of South Mississippi. They maintained at the hearing today that they saw a negro run from the Clayton residence on the night of the murder as they passed in a car.

McGee was defended with a fund raised by popular subscription among white residents of Booneville.

N. R. Clayton, husband of the slain woman, is out on bond of \$10,000 awaiting a hearing on a charge of murder. Mrs. Clayton was shot to death while asleep.

The men arrested for perjury said on the witness stand that they were passing through Booneville and were searching for some liquor when they passed the Clayton home on the night of March 3.

**ESCAPED CONVICT SHOT
AND KILLED BY SHERIFF**

**Tom McNutt Eluded Law for
Months But Finally Paid Life.**

BELMONT, Miss., July 6.—Last night about 9:30 Sheriff Omer J. Bullen of Iuka had a hurry call over the telephone to come to the home of Tom McNutt, three or four miles north of Belmont, to arrest McNutt. It seems that McNutt, who broke jail several months ago, has eluded the officers but has remained in the vicinity of his home. It is said that he has repeatedly said that he would kill any one who attempted to arrest him and had even threatened members of his own family as well as his neighbors. The sheriff, accompanied by Deputy Sheriff Hooper, on arrival asked McNutt, who had retired to surrender, instead of doing so he made his way through a window, and seeing Deputy Hooper, fired on him inflicting a flesh wound across the abdomen. Hooper then opened fire, and the sheriff arriving on the scene, also opened fire, and several shots were exchanged. McNutt ran a few steps and fell across the garden fence with bullet wounds through the body and also through the legs, and was dead when the sheriff and deputy reached him. McNutt was serving a jail sentence at the time of his escape for bootlegging. Some of his neighbors, who have been watching him, believe him to have been insane. His family is highly respected by neighbors. Sheriff Bullen surrendered to the coroner.

NEGRO SUSPECT IS HELD.

**Clarksdale Excited as Woman Drives
Negro Intruder From Window.**

CLARKSDALE, Miss., July 10.—Nathaniel Johnson, 25, negro, is in jail here today after having been partially identified by Mrs. T. B. Birdsong as the negro whom she surprised this morning at 3 o'clock while attempting entrance to a window in her home and whom she drove away at the point of a pistol. Another suspect was arrested this morning, but released after Mrs. Birdsong failed to identify him.

Mr. Birdsong had just left the house a few minutes before for a fishing trip when Mrs. Birdsong heard noises. Obtaining the pistol, she put it under her pillow and soon afterwards the negro appeared at the bedroom window. As she calmly questioned him, the negro said

gravely in doubt. His position has been considerably altered, for it is he who is now being taught the very valuable lesson of lawfulness and respect for the rights of his neighbor. Whether he be guilty or innocent he has received some in-

MISSISSIPPI OFFICERS WILLING TO ADMIT NEGRO BOY IS CHAMPION LIAR

Okolona Officials Come to Hot Springs to Further Question Joe Compton, Only to Learn He Has New Version of Shooting and Tells Two Tales and Then Confesses Neither is Truth, and They Are Undecided What Disposition to Make of the Youngster. *Hot Springs Arkansas*

Three officials from the sovereign state of Mississippi yesterday, in the office of Chief of Police Joe Wakelin, admitted that little Joe Compton, of Okolona, that state, should be given credit of being the champion of all liars.

Joe's most fatal lie came when he testified against White McAllister and James "Guinea" Carter, also negroes, who last week were hanged for the murder of Randal Logan, well-to-do Okolona blacksmith and money lender, who was shot to death last October. Joe was the state's star witness. He testified he saw the two men shoot Logan.

Then Joe left Okolona. A few days before the men were hung officers down there learned Joe was with an aunt, Mrs. Nettie Williams, 319 Grove street, and Chief Wakelin and Detectives Brown and Pate, at the request of Mississippi officers, brought him to headquarters for questioning.

Changed His Story.

The little negro changed his story. Still maintaining that Carter and McAllister did the shooting, the boy said that Charles Anderson, well known white planter, was the one who killed Logan, and that Mrs. Willie Logan, the dead man's widow, also was in the conspiracy to get rid of her husband.

Joe told that story the day before the men were executed.

Then he switched. Calling the officers, he said he had not told the truth and declared that Carter and McAllister did not do the shooting; that they were not there, but that Anderson, the white man, shot the negro blacksmith. Governor Murphree declined to intervene. The men were hung. They went to their death maintaining their innocence.

Joe said he was sorry he had lied on "White and Guinea, 'cause dey was frens ob mine," and he was afraid they would "hant" him. He was allowed to remain in jail, as Okolona officers indicated they might want to question him.

Officials See Little Joe.

Sheriff W. J. Williams, Wall Voxey, district attorney of Holly Springs, Miss., and A. B. Abernathy, county prosecutor, of Okolona, are in Hot Springs. They have seen and talked with Little Joe. They got a great "kick" out of the interview, too, and at its conclusion admitted that there may have been liars, but certainly there were none with a more vivid imagination than the little Okolona negro boy. Here's what Joe told them:

"I lied when I done said that Miste

Charlie Anderson did the shootin' dat killed Logan. Mister Charlie didn't have a thing to do with it. He warn't there, and it was Mister Harb Anderson, brother of Mister Charlie, who done killed Logan. I'se tellin' de truff now. Here how he done."

And then Little Joe got up from the chair and showed the officers the position of Logan, the negro who was killed; told how "Mister Harb" was standing, just where he stood, and went to a recital of the killing. Well, that was that, and Joe was sent into the next room while the officers debated the later phase in the case. It was "Mister Harb" and not "Mister Charlie" fond of Mrs. Logan, Joe declared.

Again It Is Different.

A little later Joe was recalled and asked some more questions. He got up and raised his hand and swore to high Heaven he had lied when he said it was Mister Harb who shot the negro, and that he had never seen Harb Anderson and the woman together; that "Mister Harb" had never discussed the woman with him, and that it wasnt McAllister and Carter, either, who did the shooting.

Figuratively speaking, the visiting officials, local officers, and Hot Springs newspaper men present, were "up in the air. They just couldn't fathom the little negro. If the truth was in him, they haven't been able to get it out.

"Well, you can have him," said Sheriff Williams to Chief Wakelin.

"No, thanks; I'll give him right back to you," replied the chief. "He is your little prized black package. You take him."

The Mississippi officers have not indicated what they will do with the youngster.

Believe Men Hung Innocent.

The visiting officers did not hesitate to state they believed that both McAllister and Carter, the two men executed last week, were innocent.

TWO NEGROES GET DEATH.

Murderers of Merchant at Meridian

Will Hang Oct. 7.

MERIDIAN, Miss., Aug. 26.—Marion Walton and Eugene Higgins were given the death sentence here today by Circuit Judge J. D. Fatheree for the murder of J. J. McCarty, suburban merchant, who was shot to death in his store in the presence of his wife last December. The two negroes are to die Oct. 7 unless an appeal to the supreme court acts as a stay of execution.

This makes the second time they have faced a death sentence, their original trial being reversed by the supreme court, which held that the grand jury indicting them acted without authority of law for the reason that the act perpetuating a grand jury term from one court term to another had been determined unconstitutional.

Other sentences passed by Judge Fatheree today were as follows:

Albert and Osie Rushing, negroes, manslaughter, 10 and seven years in the state penitentiary, respectively. They killed another negro.

W. M. Wilder, white, embezzlement, three years; Jack Brown, white, selling liquor, \$100 and 30 days; Freeman Jackson, white, selling liquor, \$500 and 90 days; Percy Nause, selling liquor, \$500 and 90 days.

Crime 1927

IT LOOKS LIKE POLICE PERSECUTION

Not long ago the police were begging the gangsters to come in, lay down their guns and be "good fellows." Apparently, this method has been adopted by the department because the gangsters were showing up the efficiency of the department, not especially in the neighborhoods where the colored officers patrol beats and, of course, the Police Board headed by one, Allen C. Orrick could not charge that the Negro officers on the force were "getting results," because in the part of the city where the gangsters rule, only the white officers are supposed to be on duty. Hence, it was those officers, not the colored who are begging the gangsters to come in and lay down their guns and be good fellows and quit for a season, showing up a certain department of our law enforcement machinery. 10-21-27

The police, after all, have some of the natural human instincts and, no doubt, felt just a bit chagrined after the newspapers had heralded the news about how they were begging the gangsters to come in and, being determined to show that they were on the job, alert, aggressive and not "winking" at any crime whatever, did a few days ago arrest one colored woman, who, so far as we know, had no criminal record, nor was the alleged offense anything like those usually committed by the gangsters, but when once in the hands of some of these "brave policemen" she was maltreated according to her own testimony in open court, and Judge Gayer after hearing her testimony did discharge her and rebuked those brave officers, who, instead of spending two or three hours torturing this poor, helpless and defenseless woman should have at least been out on the beats, even if doing nothing but dodging the gangsters.

So far as we know, no one has heard of the police beating up gangsters, nor putting them through the "third degree," nor blind folding and firing shots over their heads or at their feet, because it would require brave men to treat gangsters that way. But, we fail to see any evidence of bravery in a policeman who beats up a woman who is suspected of some petty crime, while gangsters, robbers and murderers are getting away with their crimes every day.

Of course, in this particular case it so happened that the victim of the assault by the police was a colored woman. The officers who are said to have "beat her up" knew before hand the attitude of their superiors toward colored people. These men knew that Allen C. Orrick, Henry Kortjohn, Jr., Arthur Freund, and Dr. Frank Magoon, the Board of Commissioners, are prejudiced toward colored people and, therefore, any complaint on the part of colored citizens of mistreatment at the hands of the police would fall on deaf ears so far as the board is concerned, or at least such a complaint would not get a fair hearing before a prejudiced police board. Hence, it is easy to beat up, kill, halt and maim the colored people and get away with it.

Mr. Kortjohn said that each of the commissioners shared equally the responsibility for refusing to use any colored men as special police officers following the recent storm when a call for five hundred and fifty men was made by the police board. We suppose that these same honorable gentlemen laugh up their sleeves or outright when they see the reports of the officers on the beats describing how they have "bagged" another Negro or how they have beaten up some colored woman. Surely this looks like persecution.

ONE; WHEN THEY FIND A WHITE MAN, THEIR NOSES ARE WRONG

(Kansas City Call)

When George Eaton's bloodhounds snoop around and trace a Negro for an alleged crime, he immediately becomes the same as convicted. If the same hounds happen to trace a white man for an alleged crime, their noses are not rated so highly and the white man has more than an even chance to prove his innocence—often he is not even locked up.

Last week, the Eaton hounds were used to follow a trail from a bombed house at 2519 Tracy Avenue. They carried their followers straight to a house in the 2500 block on Tracy—a white man's house, of course. So far as can be determined, the man has not even been taken to police headquarters for questioning about the bombing. Had he been a Negro the police would have been beating on him yet trying to make him say he had blown up the house, because if he were black, and the dogs had gone to his house, why he MUST be guilty.

Just a few days ago an aged white woman was found brutally murdered in the small town of Hamilton, Mo. The Eaton hounds were rushed to Hamilton to pick up the trail. They led the police to Emerson Burns, a Negro, and AT ONCE Burns is branded as guilty. He is black, the dogs found him; ergo, he MUST be guilty. A mob forms, but the prisoner is rushed to the Kansas City jail for safe keeping. The Kansas City daily newspaper which uses big, black headlines, has already tried Burns' case on its front page and convicted him. It cites triumphantly:

"Hamilton officials are loud in their praise of bloodhounds, declaring they did not show the slightest hesitancy after taking up the trail."

The paper is not waiting for judge and jury. It has joined with the brilliant bloodhounds and found Burns guilty. Which may or may not prove that Eaton's hounds have intelligence enough to decide a metropolitan newspaper's policy. It does prove that the color of a man has a whole lot to do with the determination of his implication in a crime, after the hounds sniff him out.

Police Brutality Has Become Hard And Customary Practice

"There ought to be an investigation of conditions in the Third District. It has a reputation for third degree methods," suggested Judge alleged brutality, following the testimony that a physically weak young colored woman was beaten and threatened by police officers of the Third District in an effort to compel her to confess stealing \$45.

I am convinced this woman could not fabricate a story of this sort, and I believe she is telling the truth."

Court's Instructions.

Then turning to Assistant Circuit Attorney John Oldendorph, Judge, Gayer continued, "It isn't your business as a state officer to protect these police officers. They can take care of themselves. It is your business to go after the truth and guard the rights of the defendant as well as the state." 10-7-27

The woman, Pearl Turner, 28, of 2746 Lucas avenue, was charged with taking \$45 from Mrs. Emma Luly, 2331 South Seventh street, in Woolworth's 10-cent store at Broad-

way and Washington, on last.

The Lucy woman identified Mrs. Turner as the woman who had bumped into her just before she noticed her pocketbook was open and her money gone. A clerk in the store, Mrs. Mamie Whitley, 1544 South Broadway, testified that Mrs. Turner had given her a \$5 bill in payment for some sandwiches fifteen minutes before the alleged theft.

Detective Charles Sanders, the only other state witness, told the court he arrested Mrs. Turner and that she denied taking the money. He admitted she was not searched after her arrest. He was questioned by the woman's attorney Robert McMillan, about the alleged third degree method, but denied knowledge of them.

The defendant told the court she was taken to the basement of the Third District by Detective Sanders and two other officers and tied and blindfolded. Then several shots were fired over her head, she declared, and she was threatened with death if she did not confess.

When she still insisted she was innocent, the officers removed part of her clothing and beat her, and

POST-DISPATCH ST. LOUIS, MO.

PROTESTS AGAINST SHOOTING OF NEGROES

Legal Aid Society Charges Police Use Firearms on Scantiest Pretext

A protest against reckless shooting of Negro suspects by policemen has been sent to Chief of Police Gerk by S. E. Garner, president of the Mound City Legal Aid Society, a Negro organization.

"The Negroes are more interested than their passive disposition may indicate," he wrote. "You no doubt have noticed your police officers are recklessly shooting and killing Negro people upon the scantiest pretext of resisting arrest, etc. This has been going on for some time."

Policemen lack proper respect for Negro life and limb, the letter continued. It admitted that it was proper for a policeman to shoot in defense when menaced by a desperate character, but objected to shooting in the case of "a helpless Negro woman and a fleeing Negro boy." The communication concluded: "We try to go out of our way to be called good citizens."

It referred to four recent cases—the killing of a Negro woman, and of a man who had stolen a trolley conductor's money box and was running away with it, and the wounding of a youth and another man, who fled when officers sought to question them. Each of these cases has been investigated by police executives and the detectives and policemen involved were held to be justified in their actions.

The woman had been known as a fighter and had been sent home by a policeman who stopped her in a brawl. She returned and took his night stick, beating him with it. He drew his revolver and when she disregarded a command to stop the officer shot. The robber who was killed was ordered to halt in his flight and the first shots were fired over his head.

Chief Gerk is attending a conference in the East about prohibition of importation of firearms.

When Bloodhounds Find a Negro, He Is the Guilty One; When They Find a White Man, Their Noses Are Wrong

AN EDITORIAL

When George Eaton's blood hounds snoop around and trace a Negro for an alleged crime, he immediately becomes the same as convicted. If the same hounds happen to trace a white man for an alleged crime, their noses are not rated so highly and the white man has more than an even chance to prove his innocence—often he is not even locked up.

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Crime-1927

Missouri

Counterfeited \$290,000 In Bills, Printer Admits

ST. LOUIS, Mo., Feb. 10.—William M. Bocker, proprietor of the Great Western Printing Company, 7 N. Twenty-third street, admitted counterfeiting \$290,000 worth of United States currency, mostly in \$20 bills, following his arrest last week, Secret Service operatives report.

He implicated as one of the leaders in a huge counterfeiting ring which operated in St. Louis for the last four months, George M. McKay (white), proprietor of the Alexander Studio, 709 Washington avenue, who is also under arrest. McKay has not made a statement.

Police Assist In Raid

The arrests of Bocker and McKay resulted from simultaneous raids on their places of business, led by Inspector Stephen A. Connell, head of the Secret Service operatives here, and Inspector William Davenport of the Kansas City Secret Service office. The Government men were assisted by city police.

The arrests followed the discovery of fingerprints on counterfeit bills found following the arrest of Lee Miller in Kansas City December 14.

Evidence connecting McKay with the counterfeiting operations, the Government agents say, was given to them by a St. Louis paper dealer, who had sold the photographer bond paper of the sort used in the counterfeited notes.

Evidence of Dealings

It is the Government agents' theory that Bocker.

McKay's Great Western Printing Company for "100s" and "50s," and George Bocker, who had established that McKay and Bocker's printing company had business relations.

No other direct evidence against McKay and Bocker was uncovered in the raids. McKay, when arrested, remained defiant, but Bocker broke down when taken to the Laclede Avenue station and confessed, the agents report.

THREE NEGROES EXECUTED.

Pershing's Ex-Orderly Is Hanged—
Two Others Die In Electric Chair.

ST. LOUIS, Feb. 28 (AP).—Robert Johnson, 29-year-old negro, was hanged today for a criminal assault on a white married woman. Johnson showed little emotion as he approached the gallows in the St. Louis County jailyard at Clayton. Previously he had admitted that he attempted to rob the woman but denied the assault.

He had been sentenced to hang a month ago but obtained a reprieve through the intercession of General John J. Pershing, whose private orderly Johnson had been during the war in France.

BLACKENED FACE WHITE MAN SHOT FOR NEGRO

Police Surprised When Burnt Cork Is Discovered Fading Away From Hands And Face Of Their Victim, Who, As Water Is Applied, Turns White

The police shot and mortally wounded a white man last Monday night in a fashionable resident section of the city, who was masqueraded as colored in that he had his hands and face blackened with the same kind of burnt cork.

The "make up" was almost perfect, according to statements, and the police thought they had a "Nigger" and could hardly believe their eyes when the cork was removed from the face and hands of the victim at the hospital. He was just a week before that three men who had been identified as Negroes had attacked a white woman and her escort in Forest Park, and the Argus had warned the police to look out for the black-faced criminals who operate under black faces to hide their crimes.

Of course the police report and the daily newspapers, taking his word for it that he was looking for his estranged wife is not to be taken serious, according to the general belief among the colored people. They firmly believe that the man is one of a gang who make a practice of hiding crimes under a black face.

PROWLER WHO BLACKED HIS FACE TO PEEP IN WOMAN'S WINDOW IS SHOT BY POLICE

St. Louis, Mo., April 29.—Harry E. Johnson, 30 (white), was shot by the police Tuesday afternoon when he fled from a rooming house at 4045 Washington Blvd. Johnson had been prowling outside the house with his face blackened in search of his wife, who left him four months ago and who is suing him for divorce. The police rushed to the house in response to a telephone call that a man of our race was trying to get in after a woman roomer who had been identified by the man peeping in a window on one of the upper floors.

The police department found that Johnson had gained access to the roof of the second floor by climbing a tree in the rear yard. Instead of surrendering to the police, who pursued him to the front lawn at 4041 Delmar Blvd., Johnson turned and fired at the officers after they had fled over his head and called upon him to halt. The officers returned the fire and Johnson fell with a bullet in the back of the head which

penetrated the brain. He was rushed to the City hospital, where physicians said he would die. Johnson at first said that his name was Harry Jackson, thinking his identity would be taken for one of our race, but later admitted he was white when the police found in his pockets a summons in a divorce suit filed by Mrs. Carrie Ansell Johnson.

PULLMAN PORTER SUES RAILROAD

KANSAS CITY, Mo., June 13.—As a result of a beating which he received from a train conductor and then thrown off the train, No. 6 Swan River Special, Fred Tims, a Pullman porter, whose address is 147 E. 12th ave., plans to enter suit against the Seaboard Air Line Railway Co.

OFFICER HELD FOR SLAYING

Arrest Patrolman On Warrant of Second Degree Murder In K. C.

KANSAS CITY, Mo., June 1.—A state warrant was issued Wednesday for Gilbert M. Boddington, former Kansas City, Kas., police chauffeur, charging him with second degree murder in connection with the fatal shooting, April 19 of Henderson Hill, negro, 1963 Thompson avenue, Rosedale.

Hill was killed by a charge from a sawed-off shotgun when it is alleged by Boddington he failed to raise his hands and reached to his hip pocket as if to draw a weapon. He was wanted at the time in connection with a holdup. The shooting occurred at the corner of Fifth street and Richmond avenue, when Boddington, with several other police officers, went there to arrest him on suspicion.

After the shooting, Boddington was indefinitely suspended from duty.

BLACK-FACED WHITE MAN SHOT AS NEGRO BY POLICE OFFICERS

Informant
St. Louis, Mo.—The police shot and mortally wounded a white man last Monday night in a fashionable residential section of the city, who was masqueraded as colored in that he had his hands and face blackened with the same kind of black cork.

The "make-up" was almost perfect, according to statements, and the police thought they had "bagged a nigger" and could hardly believe their eyes when the cork was removed from the face and hands of the victim at the hospital. It was just a week before that three men who had been identified as Negroes, had attacked a white woman and her escort in Forest Park, and the St. Louis Argus, race paper, had warned the police to look out for the black-faced criminals who operate under black faces to hide their crimes.

Of course the report of the police and daily newspapers, taking the culprit's word for it that he was looking for his estranged wife, is not to be taken seriously, according to the general belief among the colored people. They firmly believe that the man is one of a gang who makes a practice of hiding crimes under a black face.

DR. ENLOE RESIGNS

Upon learning that Dr. Enloe had resigned as a member of the State Penal Board, our mind quickly ran to Sam James, a member of the Board of Curators Lincoln University who ought to resign.

As chairman of the State Penal Board, Dr. Enloe's conduct was the subject of a Senate investigation during the session of the last Legislature which sharply criticised his practices, and only confirmed his reappointment after Governor Baker had promised a reorganization.

It will be remembered that another chairman, one of Governor Baker's appointees, in the person of Sam W. James, chairman of Board of Curators Lincoln University, was the subject of a House investigation because of his official conduct, which was characterized by the committee as 'unethical.'

The question involving Dr. Enloe was one principally of finance, so many dollars and so many cents. But the question involving James aside from the monetary consideration, was the education of the Negro youths of the State. James was condemned by the House Committee which made the investigation His stock selling campaign unfitted him for the place. In fact, in our opinion, he is disqualified and should have resigned a long time ago.

A Committee of One Thousand, representing ninety per cent of the Negroes of the State condemned James and petitioned the governor to remove him from the Board at Lincoln, but to their prayers the governor turned a deaf ear. This was bad, to-be-sure. But when we remembered that Sam Baker is regarded as "bullheaded" and has little regard for Negro education in

the State, we can see that he would not likely remove James. Yet there is a side to this question which we sometimes do not understand, and that is the action on the part of the three Negro members of the Board who, despite of James' conduct elected him chairman of the Board again. We, here and now, offer a reward of ONE HUNDRED DOLLARS CASH to any person who will furnish us with the satisfactory reason for Dr. McClellan, and Dr. Bunch voting for James. This offer has no strings tied to it. Anybody may answer. The offer stands good for thirty days from this issue of the Argus.

We can understand C. G. Williams. He has a little one-hundred per month job under Governor Baker to which he gives very, very little of his time. To this job he seems to think that he owes soul and body. He has been branded as a race traitor by his own people. But for the life of us we can't understand the action of Drs. Bunch and McClellan. It looked for awhile, that these men had been bought for a price and then it was said that fear and cowardice took them when they were ushered into the governor's office for the meeting. While others say that they are two men of our race who don't give a damn what the people think. It being remembered that all the protest by the Negroes of the State against James, fell on deaf ears so far as McClellan and Bunch were concerned. Therefore, this unusual situation and course pursued by these particular members of the Board caused us to make this offer for a satisfactory reason for their conduct.

What a White Editor's Wife Thinks of Negro Crimes

Editor's Note: Mrs. Haldeman-Julius is the wife of the famous publisher in Girard, Kansas, who wrote a series of articles about the Sweet family and trial last summer.

By Marcet Haldeman-Julius
DEAR Weekly Friends:

The Commonwealth of Arkansas is preparing to put a boy to death on his sixteenth birthday—June 24, 1927. The double crime of which he is accused is of the gravest nature, and, if capital punishment is ever justified, certainly these two crimes, if committed by an adult, would deserve it. But whether any boy (or girl) of sixteen should ever be so punished is a different question, and one which the big majority of people would answer in the negative.

It happens that I am thoroughly familiar with all the facts in this case. You see, E. H.-J. sent me to Little Rock (in which city occurred the crime for which Lonnie Dixon has been sentenced to death) to make a thorough study of the causes and state of mind that resulted in the lynching, on May 4, of another man, John Carter. This man's crime would have brought him no more than a comparatively short term in the penitentiary. It was, I found, because Little Rock and its vicinity had been so stirred by the crime of which this boy, Lonnie Dixon, has been convicted, that Carter was lynched and had to be brought to trial. Therefore, in order to get thoroughly into this lynching, it was

necessary to go first, with equal thoroughness into Lonnie Dixon's offenses. You will get, in detail, both these stories in the August Monthly, which will be out about the 10th of June.

I really want you to read it. Never, since I have been writing, have I felt quite the same about any article as I do about this one. Never have I written with such depth of conviction, but I am sure that you will also realize that I have written with restraint. To be candid with you, it took real courage to do that article, for I like to be well thought of by those close to me and by yourselves, so many of our readers, both of this Weekly and of the Monthly, live in the south, and the facts were such that I had to say some pretty harsh things about southerners. I know, as well as I know anything, that many of you will feel very bitter. Some will even be nastily unkind. The Little Rock Daily News has already been so. And if it wanted to hurt me, it has succeeded, for I know that it knew what it said was both unjust and untrue. (I regret the News' editorial attitude the more because the kindly courtesy of one of its reporters while I was in Little Rock has given me a kindly feeling toward that paper). But I know that my own emotions are of very little importance. It is time the south began to wake up to, and admit what others see so clearly—that on the subject of Negroes it is just plainly not sane.

I intend to do all that I can, and that steadily and consistently, toward bringing this realization home—by the presentation of plain, unvarnished facts—to the people of the south. For they are proud, the southerners, and once they realize how they appear to the rest of the world they will do pre-

cisely what all proud people do when convinced that they cut a shameful and ludicrous figure—gradually modify their conduct so that they no longer deserve the pitying or resentful contempt of society at large.

When I say that the southerners are not sane on the subject of Negroes, I mean precisely that they are insane in the same way that many people in asylums are insane. This same conclusion has been reached (and most brilliantly and technically discussed and proved) by Edward Franklin Frazier in the June Forum under the title "The Pathology of Race Prejudice."

In it he says, "Herbert Seligman, in his book on the Negro, suggests the insane nature of southern reactions to the black when he says, 'The southern white man puts certain questions beyond discussion. If they are pressed he will fight rather than argue.' Southern white people write and talk about the majesty of the law, the sacredness of human rights, and the advantages of democracy—then the next moment defend mob violence, disfranchisement, and Jim Crow treatment of the Negro. White men and women who are otherwise kind and law-abiding will indulge in the most revolting forms of cruelty toward black people. Thus the whole system of ideas respecting the Negro is dissociated from the normal personality and,—what is more significant,—this latter system of ideas seems exempt from the control of personality. . . . These dissociated systems of ideas generally have a strong emotional component and are known as complexes. The Negro complex,—a designation which we shall give the system of ideas which most southerners have respecting the Negro—has the same intense emotional tone that characterizes insane complexes."

The favorite answer of southerners to any argument about Negroes is, "You don't understand the Negro as we do." And the less people know of the race the more easily this explanation suffices. But the better one is acquainted with colored people, the more one realizes how absurd a side-stepping of reason and argument this excuse is. Moreover, if colored people were as different in the south from those in the north, as southerners claim, this fact in itself would be a strong argument in favor of the northerner's method of treating Negroes.

Personally I have had a great deal to do with Negroes. When I was a child I had a Negro nurse—a real mammy type, she was. Her husband tended our yard and furnace. He had been a slave before the Civil War, which event occurred some time in his young manhood. (He never knew his exact age). Both of them lived with us until they died, and Mammy Gooch's death was my first real sorrow. When I was in the theater I often had colored maids or "dressers,"

as they are called in that profession. Since I have been married and kept house I have, with one or two exceptions, employed only colored help. I

had a colored woman as a nurse maid for my youngest child, Henry. She was from Alabama—and could neither read nor write. My cook at this moment is her antithesis—a well-educated, capable, executive type of woman, and a local leader among her race. My house-boy, a young man of nineteen, is colored. My laundress, with whom I used to play when we were little girls, is colored, and so is my outside man, whom I have known ever since we were children. They represent, these four colored people who are working for me now, in color, temperament and education, four separate and distinct types of Negroes. If there is any type of Negro that I have not come in contact with—from the illiterate, shiftless sort to such men as James Weldon Johnson, the poet, and the well-known novelist, Walter F. White—I should like to hear of it.

It is perfectly true that there are "uppish", disagreeable Negroes. But there is to be found for every such one an "uppish", disagreeable white person. There are criminals—vicious ones and plenty of them—among Negroes, but the same is true among Nordic blonds. And it is equally true that there are charming, cultivated colored people whom it is quite as much a pleasure to know as it is to know charming cultivated white people.

Surely the only normal way to judge any man or woman, black or white, is by his character, general achievement and relation to society. But this is precisely what most Southerners refuse to do.

It is certainly not because Lonnie Dixon is a colored boy, but because he is a boy that I felt under compulsion to write Governor Martineau the following open letter:

Governor John Martineau,
Little Rock, Arkansas.

Dear Governor Martineau:

I see by the Associated Press report of May 19 that Lonnie Dixon has been sentenced to die in the electric chair on June 24, 1927. The dispatch concludes: "The date for the electrocution is Lonnie's seventeenth birthday."

I wish, respectfully, to call your attention to the error of this statement. Lonnie Dixon was born June 24, 1911. Contrary to the persistency with which the press has misstated his age, his crime was committed while he was only fifteen. I submit that the state of Arkansas' dark record, unfortunately too well and widely known, should not be further blackened by the execution of a boy barely sixteen. (Even

were he to be actually seventeen on June 24, his execution would be no less to Arkansas' shame.)

My talk with you while in Little Rock left me with the conviction that you were a thoroughly civilized and fearless man. Governor Martineau, civilized people do not sanction the death, even by law, of adolescents. The world—except in backward parts of it—has gone beyond that point. I wish you could hear the unfeigned horror with which, without one single exception, the people outside Arkansas to whom I have talked speak of such a possibility. I wish you could hear the earnestness with which they express the hope that you will not permit such a barbarous action to take place in your state.

I pass over the fact that Lonnie's confession was secured after 24 hours of continuous grilling during all of which he had neither food nor sleep. That his confession was, in short, secured only when he was at the point of exhaustion. I pass over, too, the fact that you have only the word of the police department that he led them to Floella's hat and book. Chief Rotenberry impressed me as a just and honorable man, and I, myself, am inclined to believe his word in the whole matter. But I need scarcely point out that it is precisely in such a case as this that evidence should be most carefully sifted before a disinterested and dispassionate jury. Surely no one in Pulaski county is prepared to assert that they had not yet formed an opinion which it would take evidence to remove. I pass over the fact

that the very lawyers for Lonnie were chosen by lot because public feeling was running so high that for any lawyer to have volunteered his services would have been to endanger his future legal career. I pass over these points since the jury has already found, after at least the form of legal procedure, that the boy is guilty of the assault and murder of which he is accused.

But however delinquent and vicious Lonnie Dixon may be, however terrible his crime—and surely no one can be more shocked than I, with a little daughter so nearly the age of Floella—the fact remains that he is only a boy, not an adult. And that, for the state of Arkansas legally to put him, a sixteen-year-old lad, to death would proclaim to the rest of the world that the leading citizens of Arkansas, even in their calm moments, are no less savage than the boy himself was when, on impulse, he killed Floella McDonald.

In the last 36 years Arkansas has been fourth in disgrace among the states in the matter of lynchings. Two hundred and forty-five men and women have been thus put to death there. Before Lonnie had even been brought

to trial, Charles E. Moyer, the mayor of Little Rock, is quoted in the daily press as saying, "Lonnie will not escape the electric chair. We allow Lonnie's execution to be done according to law." Mr. Governor, if this was not a promise that there would be a legalized lynching, I should like to know what it was. And that is what Lonnie's execution will be considered by the world outside of Arkansas.

You will say, and with truth, that if Lonnie's sentence were to be commuted to life imprisonment—as if life imprisonment, which many states consider the supreme penalty, were a lenient one!—the people of Arkansas would use the fact that it was so commuted as a justifying argument for dealing with subsequent cases themselves instead of permitting them to be legally handled. But if one reasons in such fashion—down to the psychology of the mob—the world would never progress.

There is in Arkansas a fine, cultivated, awake group of people. The fact that this group is so pitifully in the minority should not prevent its dictating the policies of that great state. To let the sentence stand as Judge McGehee has pronounced it, would of course be the popular move, even perhaps the expedient one. But to commute the sentence of this barely sixteen-year-old boy to life imprisonment would be a courageous act approved by the big majority of thinking people everywhere.

Had I been less impressed with your courage and forcefulness, I should consider it a futile gesture to write you this letter—understanding as I do, the tremendous pressure under which you move in this case, and the almost superhuman courage that will be required if you dare go counter to public opinion. But, realizing how humanitarian and social-minded you are, I respectfully urge that you use your prerogative as governor of your state to right the contemplated wrong and thus retrieve in part Arkansas' black record of violence and injustice.

Yours faithfully,

(Signed) Marcet Haldeman-Julius.

CERTAINLY I should have written precisely the same letter had Lonnie Dixon been white. There is in it no reference to his race.

The Little Rock Daily News' comment on it was typical of the southerner's idea of fair dealing where Negroes are concerned. It quotes only the last paragraph of my letter. Not a word about the reasons I set forth for commuting the sentence! And the News was certainly most careful not to correct the misapprehension spread abroad by the Associated Press about the boy's age. This might easily enough have been an honest error at first, but from now on it is a deliberate misrepresentation. There is no doubt

about it that most people in Little Rock believe that Lonnie Dixon is almost seventeen. The News' comment concludes:

"As for the woman's 'plea for justice,' I have only this answer: If the majority of Little Rock citizens can decide Lonnie Dixon should not die for his crime, if they can believe that other morons, seeing him escape the penalty, will not be tempted to outrage on society, they will be glad for the governor to spare his life."

"But the people of Little Rock are tired of seeing court decrees set aside to satisfy the whims of 'that group pitifully in the minority.'"

"They have seen prominent citizens appear in municipal court in behalf of a Negro chauffeur who made persistent advances toward a young white woman; they have seen white church people secure the release of a Negro janitor charged with liquor law violations; they have seen other influential citizens save the janitor's son, Lonnie Dixon, the convicted murderer, from a pen sentence in connected with a forgery case. (Which involved ten dollars and which his father promised to make good)."

"The people of Little Rock know that laws can't be enforced as long as the right to inflict punishment is waived to suit the demands of a few. They will expect the governor this time to hear the voice of the majority."

Such a line of thinking is the editorial's own indictment. If twenty Negro janitors charged with liquor law violations, or twenty Negro chauffeurs who made persistent advances to young white women, had been released, the justice or injustice, the rightness or wrongness of electrocuting a barely sixteen-year-old boy—black or white—would still have remained unaffected. It is perfectly obvious, I think, to anyone that it is quite as much the fact that Lonnie is a Negro as the bare fact that he committed the crime—if he did—that inflames the Daily News.

WHITE WOMAN ACQUITTED; NEGRO LOVER CONVICTED

ST. LOUIS, Mo., July 20 (ANP)

—Although two witnesses positively identified "Mrs. Billie" Smith, a white woman, as a participant of two Negroes in the holdup of a grocery store, and no evidence whatever was offered in her defense, the woman was acquitted by a jury in Circuit Judge Killoren's Court last Tuesday. The two Negroes, Andrew High and Holsey Smith, entered pleas of guilty soon after the robbery, and are now serving peniten-

tiary terms of eighteen years each.

Members of the jury, as they left the court room, were criticized by acquaintances because of their verdict which freed the white woman.

The woman, arrested soon after the robbery last March, readily confessed participation in it, police said, at that time. No testimony concerning a confession was given at the trial, however the Circuit Attorney urged that the identification of the woman was sufficient evidence to present to the jury.

A policeman then testified he arrested the woman in a rooming house, where it is understood she lived with Holsey Smith, one of her Negro companions, as his common-law wife.

The Circuit attorney pointed an accusing index finger at "Billie" Smith, calling her "that woman," in the meantime reminding the jury that "she deserves a severer punishment than her Negro companions. Why? Because we have placed woman on a pedestal, and when she falls from that high pedestal, she deserves a severer punishment."

11-Year-Old Girl Throws Big Scare Into Staid Boston

Playfully Starts Fire In State House, While Officers Guard Buildings

BOSTON, Mass., Aug. 18.—(By A. N. P.)—Last Friday afternoon, at a time when railroad terminals, subway stations, and government buildings were being guarded by extra detail of police as precaution against a possible attack by Sacco and Vanzetti sympathizers, Mary Ellen Harris, 11-year-old colored girl, through a childish prank, threw the entire governmental machinery into furious excitement by starting a fire in the State House basement.

Passing the guards unobserved, the child, who is the daughter of Russell D. Harras, colored and a white woman, entered the basement door on the Mt. Vernon street side. She picked up a paper case of matches and playfully lighted some packing cases in the basement area of the west wing of the State House.

George L. Saunders, a State House watchman, while making his rounds, discovered Mary standing over the fire she had started. He

promptly stamped out the blaze and seized the child. She was carried to the office of Superintendent of Buildings, Fred H. Kimball, on the first floor, where she refused to answer questions.

The child was taken to the Joy Street Police Station, where she was questioned by Captain James McDevitt. She could give no reason for setting the fire, but said that she had picked up a paper card of matches and felt a desire to light the materials.

In Juvenile Court where she was arraigned Saturday as a delinquent child, Mary was turned over to probation officers to await a suitable place to be found for her to be sent.

Mr. Harras, the child's father, was asked if his daughter had any knowledge of the Sacco-Vanzetti case, but his answer was in the negative. He said the girl could have known nothing of it, as the matter was not discussed before her.

It is believed by the authorities that the child is mentally unbalanced. She was taken out of school a year ago because of ill health. For a time she was confined in the City Hospital.

POLICE MUST STOP BULLYING THE PUBLIC

The board of police commissioners of Kansas City should put an end to the treatment being accorded women and their escorts by police officers. The recent case where Officer H. H. Byers arrested a man and his wife, resulting in their being fined for occupying a room for immoral purposes, is only one of such acts of Kansas City patrolmen. Since it, there has been another. A couple doing on a public boulevard what others are free to do, were accosted by two officers, and addressed insultingly.

Insult to women sooner or later will be met with resentment. In the day when some escort refuses to let a policeman treat his company as a woman of the street, to be cursed and called "nigger," the officer, capable of such ungentlemanliness, will shoot "in line of duty," and then defend his act by saying the victim made a "threatening" motion.

It is no defense of the meddling of police with men and women of our group, that they think the one is white and the other Negro. There is no law in this land which prevents people of different races from walking, talking, and riding together. For police to reason out of such association as they see on the public streets, that there is immorality going on, is taking too much for granted. The law gives them no right to presume. Their power is limited to arrest for what law violation they see, or for which a warrant has been issued. All else is pure prejudice, exhibited because they have power and are full of hate.

More than one thousand Negroes have petitioned the police commissioners to remove Officer Byers. He is guilty. His trial and dismissal would be notice to every police officer that he must act within the law, and above all keep in mind that he is not free to trample on Negroes' feelings even though he has a right to inquire into their acts.

It is significant that so large a number of people ask Byers' dismissal. It is an unprecedented agreement in thought and act, which clearly indicates a determination to bring to an end this reign of terror and insult, by police officers against citizens.

Women of unquestioned standing and repute, are being followed by Kansas City police and harassed to such an extent that if there is no order from the higher officials of the department to that effect, then at least there is an understanding among the officers which amounts to the same thing. Police Commissioners Koch and O'Donnell know the code of men too well to believe acts like this of Byers are negligible.

POLICEMAN SLAPS WOMAN.

The colored people of St. Louis are protesting the killing of a woman by a policeman here a few days ago.

To our way of thinking their protest will mean very, very little so far as the Police Board is concerned. There is no doubt in our mind but that in killing that poor defenseless woman by shooting her at hand range, that Police Officer Downey felt assured that he had the strong backing of the Police Board. There is no doubt but that the past action of the Police Board toward the Negroes of the city is having a great influence on the action of the police on their beats when it comes to dealing with Negroes. The policemen on the beat know that the present Board composed of Allen C. Orrick, president, Henry Kortjohn, Jr., Dr. Frank L. Magon, and Arthur J. Freund, is prejudiced against Negroes. And of course, the police, be they ever so ignorant of other things, know that with prejudice already against the Negro by his superiors it is easy to kill, maim, halt, breakup homes, and drag out; and his superiors can see no wrong in such acts—this is race prejudice of the rankest sort.

This, no doubt, accounts for the shooting and killing of Negroes. Mr. Orrick says Negroes are not fit to be police officers. We now reason that the more white officers in Negro neighborhoods, the more dead Negroes from police bullets he will have to read about.

Taking into consideration that the prejudiced mind is in no position to judge, yet we wonder what manner of men they be, who are supposed to be clothed with a normal mind, would believe that a police officer equipped with the proper emblems of his office weighing two-hundreds pounds more or less would allow a little woman weighing one hundred pounds more or less, in a man to man struggle, wrest his billy from him, and with the same beat the said officer knocking him down and disabling him so that while down in order to save his life he must shoot the said little woman to death. We surely would like to see what manner of men they be who would believe such stuff.

The one answer: The Police Board's only conscience in dealing with the Negroes is MIGHT MAKES RIGHT.

WHITE MAN'S DAUGHTER AND MAID INDICTED IN PLOT

Charged With Conspiring
to Slay Father so For-
mer Would Inherit Prop-
erty Said to Be Worth
Million Dollars

NEW BRUNSWICK, N. J., Aug. 1.—Indictments charging conspiracy to murder were returned Friday by the Middlesex County Grand Jury against Miss Bessie Morse, white, of Prospect Plains, and her colored maid, Miss Mamie Todd. They are charged with plotting to kill Miss Morse's father, her sister and brother-in-law and their adopted son. *8-3-27*

As the indictments were voted, George F. Morse, Miss Morse's father, a wealthy farmer, declared the indictments were nothing but a "frame-up" and that he would stand by his daughter through it all. He furnished the \$7,000 bond imposed on her at the time of the arrest recently, and has reiterated his faith that the whole story brought against her is false.

MAID'S TESTIMONY CAUSED INDICTMENTS.

It was on the story of Mamie Todd, whom Miss Morse took from a protectory at the age of 13, and gave a comfortable home, that the two were indicted. Miss Morse is said to have given the maid \$1,200 to pay two gunmen to kill her relatives.

atives.

The "gunmen" later turned out to be the son of County Detective Ferd David and one of his son's friends. They have testified that Miss Todd gave them the \$1,200 and told them to throw a bomb into the automobile of the family of Mrs. Grace Dey, Mrs. Morse's sister; Raymond Dey, her husband, and their adopted son, Elmer.

The prosecutor said he would rely almost entirely on Miss Todd's story, seeking corroboration from David's son and his friend. The theory of the prosecution is that Miss Morse was plotting to kill her relatives so that she could obtain the fortune of her father, who is reputed to be a millionaire.

DAUGHTER IN NO NEED, SAYS FATHER.

The aged farmer, however, says that he is worth "only about half of that" and that the idea his daughter was conspiring to murder him is foolish. In refuting the charge he pointed out that three years ago she had received \$10,000 from him and was in no need of money.

All during the investigation and the hearings before the grand jury Miss Morse continued in her capacities as housekeeper for her father on his farm fifteen miles south of this city.

No Crime Wave In Negro Town

LAWNSIDE, N. J. Sept. 14—(ANP)—Lawnside, N. J., has been incorporated as a borough for a year. It is a town in New Jersey, governed by Negroes.

In a lengthy article appearing recently in the Herald-Tribune (New York) it is referred to as "New Jersey's Ebony Garden of Eden." Practically little or no crime prevails at Lawnside, but on the other hand there is much economy on the part of its inhabitants, who number three thousand and only forty whites.

A study of the report made public shows that while municipal revenues failed to equal administrative expenditures of \$5,625 for the year, expenses were held down through the public spirit of the mayor, who serves without pay, and the collector, the auditor, and the solicitor and the clerk, who each receive only \$250 a year.

No Disorder

The mayor, whose name is given as James Hemming, is said to make his living as a steam roller pilot. The fire department is composed of volunteers, serving, of course, without pay, and we are not told what sort of fire-fighting apparatus is used in Lawnside.

This is what is said of the police force: "The policemen support themselves by doing odd jobs. When trouble breaks out they rush home, don their ornate uniforms and hurry to the scene of disorder. The police evidently have a fat job, with little to do. The president of the town council says there are 'four bootleggers in Lawnside,' but not one arrest was made for drunkenness by the volunteer policemen. During the year the report shows that there were no arrests made for murder, robbery or other felony."

Lawnside boasts of a very good hotel; there is an eight-room school house for the 248 pupils; there is a public park, a swimming pool and a bathing pond, and best of all ninety per cent of the colored people in Lawnside own their own homes.

NEWARK, N. J.

OCT 14 1927

INJUSTICE TO NEGROES

To the Editor of the Star-Eagle:

Sir—Two recent murders within the same week claimed front page space because of the mystery surrounding them and the cunning with which they were executed. One occurred in Alabama and the other in New Jersey. In the Alabama case a wife was killed and the husband's first statement to the officers was that a Negro had committed the crime. In the New Jersey case a husband was killed and the wife claimed that Negroes had committed the crime.

Later developments have tended to show that in neither case had Negroes anything to do with the crime committed. It is a common occurrence that when a crime is committed in a community where there is a considerable number of Negroes, the first utterance on the part of the excited citizens is, "get the Negro." And as a result the real criminals have sometimes gained sufficient time to cover up their tracks while the officers of the law and infuriated citizens are the all too willing victims of this time-worn ruse. And this applies, as the evidence shows, to Michigan as well as Georgia, to the North as well as the South. The ease with which crime is fastened upon the Negro is an obvious fact of American life.

This is bad enough for the unfortunate individual toward whom the finger of suspicion is pointed, but a more serious consequence is that a not inconsiderable part of the crimes of other races is recorded against the Negro, thus placing the stigma of excessive criminality upon the race as a whole and creating a condition which affects their home life and their educational advantages as well as their economic and industrial opportunities.

Nor is the effect confined to the Negro. Such incidents are broadcast over the world as typical of American standards of race relations, and it becomes increasingly hard to reconcile such conduct with America's claim to the moral leadership of the brotherhood of nations.

In this we as a nation are doing ourselves a great injustice, especially in view of the striking progress that is now being made in race relations in our country along other lines, due in large part to the courageous and liberal editorial policy of the press in all sections, particularly of the South, where the situation has been most acute.

It is apparent to all fair-minded persons that a situation which makes it possible for the weakest and most helpless group of our citizenship to have placed upon them the stigma of crime on the lightest pretext is not only a gross injustice to the individuals involved, but places upon the Negro race an almost impossible handicap in its effort to establish its claim to all the rights and privileges of American citizenship.

There is no disposition on my part to excuse the criminal element in my own race. They themselves contribute enough to the backwardness of the race and to the propaganda against the race, but adding to this the fact that the criminals of other races may blacken their faces or otherwise simulate the Negro, or may commit a crime and escape the consequences by accusing the Negro, presents a situation which seems to call for the most earnest thought on the part of public authorities and all the leaders of public opinion in this country. For here is abundant evidence that it constitutes an active menace to the rights and liberties of all classes of our citizens.

In my opinion, the Negro faces no difficulty more acute at this time than the situation as shown in the Treece, Lillien-lahl and similar murder cases. Here, it seems, is an opportunity to apply the methods and the spirit of the Inter-racial Commission in every community in effecting the simple justice of discovering as early as possible the real facts in such matters before the hasty publication of statements calculated to inflame popular sentiment against a wholly innocent victim and place the stigma of criminality upon an entire race.

ROBERT R. MOTON.

Principal Tuskegee Institute, Ala.

GIRL FAKES NEGRO STORY

White School Pupil Admits
She Told of Attack
for Publicity

NEWARK, N. J. — Toby Schochet, 14 years old, of 816 Goldsmith avenue, Newark, longed to be a heroine to get her name in the paper. That was the reason she faked a story of a fierce struggle with "Negro" robber in her home Tuesday, she confessed to the police Thursday.

On Tuesday Toby was found gagged and bound to a chair in her home by her sister, Hannah. She told the police that several hours before, she entered the house and found the "Negro" ransacking the rooms. She fought him and in the struggle he scratched her forehead. After tying her to the chair he escaped with a few pieces of silverware.

Detectives doubted the girl's story. Her confession followed their questioning. She told the police she faked the robbery because she wanted publicity and also that she thought it might bring sympathy from her parents, who did not permit her to have her way. The girl admitted that the scratches on her face were self-inflicted.

GIRL IN ATROCITY ON SHIP

White Crew's Mistreatment Of Colored Cook's Wife Ends With Slaying. Face Law's Action

NEW YORK, July 27. —(Special) In addition to seeking an indictment for murder on the high seas against Earl I. Battice, cook of the four-masted schooner Kingsway, Assistant United States Attorneys George J. Mintzer and Kenneth P. Simpson whites, will ask the Federal Grand Jury to indict Kodjo Badke, white donkey engineer aboard the Kingsway, for a statutory offense alleged to have furnished a motive for the slaying of Battice's young wife, Lucille, 23 years, mulatto of Galveston.

German Loved Colored Cook's Wife

As the details of the eventful, seven-months' voyage of the Kingsway to the African Gold Coast are gradually unfolded by members of her crew, Badke, tall, tanned, stern-visaged German looms as the central figure of the tragic voyage which included near-mutiny, desertion, disease, hunger and death. It was he with whom the cook's wife fell in love. It was he who led in the disobedience to the orders of Captain Lawry white of the schooner, and it was he who threatened to strike the Captain with a chair.

Highly Regarded by Crew

Battice, who is said to have made and signed confession that he slashed his wife's throat, seems to be held in high regard by members of the Kingsway's crew and by their captain, who ate his cooking when he was restored to duty after he had twice broken the shackles placed upon him for the murder and had once leaped into the sea.

What Battice has had to say about the voyage and the crime is known

only to the Assistant United States Attorneys, but what Battice and others of the crew have said indicates that Badke and Battice's wife, described as "only a girl", conducted their lovemaking in such an open manner that Battice became half-crazed with jealousy. But the wife's dying statement, which appears in the ship's log, was:

Taunted Husband

"Because he had a girl in P. R. (Porto Rico) he wanted to get rid of me."

From the stories of members of the crew it would appear that the wife openly taunted her husband with her love for Badke, saying that Badke, not Battice, was the man she wanted. According to Battice, he did not intend to kill his wife, but merely to wound her and convince her that she must not conduct herself as she had been doing with Badke.

To Invoke Law of the Sea

Captain Lawry, grizzled commander of many adventurous voyages, spoke kindly yesterday of Battice, calling him "poor fellow" and saying that he did not realize what he had done. Captain Lawry said also that he could not see "how they can hang him." An unwritten law of the sea, it was said, will be invoked by Battice in his defense. The crime for which it is expected an indictment will be returned against Badke, carries a maximum punishment of three years in prison.

The Grand jury will seek also to ascertain whether the illness of Captain Lowry and the illness of Codgo, colored substitute cook aboard, were due to poisoned food. Codgo was suspected until he himself became ill, then Captain Lawry's suspicions were directed elsewhere.

GRIM DRAMA OF THE HIGH SEAS

In Which the Jealousy Of Battice Is Aroused Over the Attention Of His Wife To The White Engineer And Mutiny Is Threatened

The following article is a continuation of the account of eventful voyage of the schooner Kingsway during which a young woman was slain by her husband in a jealous fit over her love for the white engineer of the ship and a beautiful Spanish woman was brought in as the real cause of the crime. The account was pieced together from the ship's log.

Part 2

By R. L. Duffus

There were ten men and a woman on board—ten men and one woman cooped within a space whose greatest dimension was only 203 feet; ten men and one woman searching one another with their eyes day after day, learning the least intonations of one another's voices, becoming gruesomely familiar with one another's least small mannerism, lying in their bunks and thinking, sometimes, far from Christian thoughts. Ten men—and one woman. Badke, looking up to catch the flash of white teeth at his window, claimed the woman, not without competition. He strode about the decks, a conquering male. For him, too, life had its moments.

Taunted By Flirting

In the forecabin, on the other side of the bulkhead from where the cook slammed his kettles on the stove, there was sneering gossip. The cook knew all about it, it was said. The cook was willing, it was said. But there were those who thought otherwise. If the cook were willing, why did the woman flaunt the affair in his face? She had been heard taunting him. But Battice, the colored cook went on opening the door into the engine room to get his coal, and though Badke, the white engineer, was a violent man the two did not come to blows.

On the poop deck, aft, two old men separated by awe and tradition from the proletariat of the forecabin, eyed each other when they had to exchange words or when they

sat at meals with a cold and growing hatred. It was this hatred that gave the voyage its pungency for them. Captain Lawry, white, going aboard at Pensacola to take the place of a sick master, had found the first mate, Fred Mortimer, white, already jealous and hostile. Mortimer had served the sea for half a century. Command had been dangled before his eyes and always he had failed to grasp it.

Knew Jack London

Years ago he had known Jack London and something like fame had come his way. He had sat for the character of Mr. Pike in "The Mutiny of the Elsinore"—Mr. Pike of the "Stiff, crack-faced smile," "huge Mr. Pike," Mr. Pike the mauler, Mr. Pike the fearless, Mr. Pike with his love of classical music. Since then, it was said, he had tried to be Mr. Pike. But he was an aging, a bitter, a disappointed sometimes even a garrulous Mr. Pike. He had the utmost contempt for present-day sailormen. They were scrum, fit only to be knocked about, lucky to

be out of jail. It had not been so in the golden days.

Stirring Mutiny

Nevertheless he had a habit of going forward to talk to the crew. The talk on board—though few had ever heard of Dr. Freud of Vienna—revolved about two subjects—sex and food. Mr. Mortimer conversed with endless animation about food. What had the men had for supper? he would ask. No fried potatoes? What a pity. There had been fried potatoes at the captain's table. He would rub his stomach comfortably. Fried potatoes. Pudding. He couldn't see why the forecabin shouldn't eat as well as the cabin.

The men listened. One or two of the older ones found it embarrassing. They were not used to officers who talked in such a fashion. There was tension in the air, faint at first but steadily growing. Badke's

swagger took on a touch of insolence. Ten men—and one woman. And the woman was his woman. The prestige of captains and mates faded before that tremendous fact. He swaggered in front of the captain, he swaggered in front of Battice.

The cook, thinking of the girl in Porto Rico, kept silence. But Porto Rico was being left further and further astern. And Battice was becoming a laughing stock. Men jeered at him openly. Or a group would break into loud guffaws as he approached and then become suddenly silent. He carried about with him a little private hell of rage.

The Captain's Troubles.

Captain Lawry held to his course, from Pensacola to the San Juan River, from the San Juan River southward and eastward to the Gold Coast. He was not so much a part of the drama as the centre about which it turned, the one force that held the ship's company together. He was law, order, government, public opinion, a sense of responsibility. Because he willed it the watches tumbled out regularly on deck, the sails were trimmed to the breeze, the helmsman kept his place at the wheel, and the Kingsway slid steadily onward. She was civilization in miniature, with the individual desire subdued to purposes in which the individual had no interest.

To be continued next week

STOP POLICE CLUBBING IN HARLEM

Black Citizens' Heads Targets for Police Clubs

Granted that the Police Department is the instrument of the Civic idea of law enforcement; and granted that the average officer is recruited from the ranks of the untutored. Does it follow that the original idea behind law enforcement is to force those who are law-abiding, to become law-violating? To the simple mind of the ordinary black citizen, this conclusion, judging from his experience with the officers of the law, is inescapable. And the reasoning upon which this conclusion is based, is the more sound when, the final action of the Judges and Magistrates, in disposing of police cases against the average citizen, is taken into consideration.

This complaint against the police officer, is not limited to whether he is black or white; the mental outlook of the man in a police uniform, becomes standard and without variation, the moment that he dons the clothes of the "cop". And while it is true that, police brutality and general insolence is rife in all sections of the city, it is aggravated to an alarming degree in the Harlem section. The police officer, white or colored, starts off with the presumption that the colored citizen has no rights which he is bound to respect; he assumes that he is the law, and that the citizen is a mere slave, to be beaten and clubbed.

The Magistrates and Judges, proceed from the false proposition that the police officer is always right and that the average citizen is always in the wrong; nothing could be of greater error. The Magistrate will always put this question to a battered and beaten culprit who appears before the bar: Do you mean to say that the officer beat you up without your threatening him or assaulting him or anything? To which generally comes the reply of innocence—yes. The magistrate will then smile knowingly, and proceed to find in favor of the officer.

It has long since been common knowledge to the black man in the New York districts that his head or parts thereabouts, was particularly enticing as a target at which to aim a club or a "billy" in the hands of an irate cop; it has long since been widely known that white police officers grow up

with the queer impression that a colored man's head was so hard and tough, that it would resist the force of a club, however hard that club was, and however much force went behind that club. It appears then, to be the especial delight of a white police officer to practice this, to him, delightful



Edgar M. Grey

exercise of beating the head of a colored citizen.

The spectacle of colored prisoners, charged with the most petty violations, coming into courts, with head and face bandaged and spattered all over with their own blood, is too common to merit stress; but this is not the point that we would make. We would make the point that, the only kinds of colored prisoners who are permitted to be arrested without being brutally beaten are, the known gun-men, ex-convicts and those who enjoy in the knowledge of the police, generally bad reputations. The colored officer, of course, follows suit, in this intoxicating pastime of clubbing, and makes sport with his white brethren as to their achievement in brutality.

Recently, in the eighth Court, a man was charged by a police officer with having policy slips in his possession; the man appeared in the court room battered and bleeding, the officer in addition to charging the man with the "numbers" violation, had placed a charge of disorderly conduct against him. After the numbers case had been heard, the Magistrate called for a hearing of the charge of disorderly conduct. The man explained to the Magistrate that the officer had walked up to him and had attempted to place his hands in the defendant's

pockets, without telling him that he was a police officer and that he had resisted, and that the officer had knocked him down, causing the bruises and marks upon his face and head.

The police officer then told the Magistrate that the man had struck him and had resisted arrest. The Magistrate then sentenced the man to \$5 or five days in the workhouse. And when the man insisted that he wanted to place a complaint against the officer for assault, the Magistrate called him back to his presence and sentenced him to 6 months for disturbing the Court. In the first place, it has not yet been written into the Bill of Rights that a police officer has the right to place his hands in the pockets of a citizen without informing him that he is a police officer on the business of making a search.

In the second place the fact of being a police officer does not exempt the officer from the consequences of illegal search; and since the law still is that a man has the right to resist illegal seizure and search, this particular prisoner was fully within his rights when he resisted the police officer. Consequently, when the officer proceeded to beat the man he was violating the fundamental

Organize to Stop The Practice

laws of the land and of the state, and the Magistrate was absolutely without his power to refuse to take a charge against the police officer. Instead of doing justice, the Magistrate used his position as such to further the most brutal form of injustice.

If this man who is the father of 3 children should lose his respect for the law, those who do not know the history of his "push" into the ranks of the law violators will say when he is committed some grave offence against the police, that he is a born criminal and all the rest of the usual prattle. The most elementary rights of this prisoner were violated by those whose duty it is to enforce and to support them. And for what reason? The man was not killing any one, or even in the act of committing theft or other kind of felony. He was merely suspected of having policy slips in his possession. We cannot too strongly urge the colored people to make

an issue of this practice of police high-handedness in the community; we insist that some sort of organization should be sponsored, which would take these matters up with the proper authorities, with the proper legal representatives, and thereby organizing this brutality and lack of respect for the citizen out of the heads and hearts of the officer. We admit that there are officers whose record does not include this species of barbarity; we personally know of those officers whose general decency would not permit them to club the citizen as a matter of course. But the great majority of those who are wearing the policeman's uniform in Harlem are fitted only to be guards of gunmen and criminals; for then they would lack the courage to club the known bad men.

A Deplorable Case

FOR THE FIRST TIME within recent memory a Harlem physician has been convicted and sentenced on a charge of felony. In spite of his position as a professional man, in spite of his plea of self-defense, in spite of the very able defense of his counsel, who was complimented by the presiding judge, the verdict was "guilty of assault in the second degree" and the sentence a term in state's prison to from one and one-half to three years.

AS THE PHYSICIAN was colored and the victim white it has already been said that the verdict and sentence were due to race prejudice. There seems to be no justification for this opinion. Every effort was made by friends to save the defendant. The presiding judge is noted for absolute fairness; the jury spent three hours deciding the points at issue; the defendant's counsel, known for his combative fearlessness in the courts, made no complaint of injustice during or after the trial. The general public feels that

justice has been done. IT IS DEPLORABLE that in the anger of a moment a man should destroy the fruits of twenty years of study and professional work — his practice, his standing and his citizenship. One of the main objects of education is the acquirement of control over the more dangerous passions; another is the development of a strong ethical sense. As was said three thousand years ago, so still it may be said: "He that ruleth his spirit is greater than he that taketh a city."

N. A. A. C. P. PROTESTS N. Y. POLICE CRUELTY

NEW YORK.—The N. A. A. C. P. protested to Police Commissioner George V. McLaughlin against police brutality toward colored people in the neighborhood of the West 68th Street Police Station, particularly the beating of Linous Charles on March 16th.

James P. Sinnott, Secretary to the Police Commissioner promises investigation. 4-2-27

The beating occurred as a result of the harrasing of a blind vendor told to move on by the police officer. The vendor showed his license and asked the policeman "Are you the officer they call Grafty?" At this there was a laugh among the bystanders and the policeman singled out Linous Charles, beating him and taking him to the station house. Mrs. Charles, who went to the station house in the endeavor to protect her husband was pushed out. Mr. Charles, having made no resistance, was discharged the same day by a magistrate.

BIG BLACK BAG PLAYS PART IN SNYDER CASE

Relations of Ruth and Judd

Bared Before Jury.

TRIAL WELL UNDER WAY

Insurance Salesman Testifies That

Murdered Man Did Not Know He

Was Insured for \$50,000—Was

Tricked Into Signing.

NEW YORK, April 25.—A grin faced Ruth Snyder listened impassively today in Queens County court to the gruesome details of the murder of her husband, Albert. Twelve witnesses for the state filed past each adding a crimson stroke to a canvass already streaked with lust and greed of money, while the thin-lipped widow, whom the state seeks to send to the electric chair, sat without any show of emotion other than sullen hatred.

Directly in front of her was Henry Judd Gray, her former lover, jointly charged with her of having crushed the unsuspecting, sleeping Snyder's head with a window weight after having choked and garroted him with picture wire. Gray sat almost motionless, his head bowed and eyes half shut, a sickly ashen pallor on his face.

The high point in the trial came today when Leroy Ashfield, a bold-voiced insurance salesman for the Prudential Insurance Co., testified that to his knowledge, Albert Snyder, slain editor of Motor Boating Magazine, never did know that he was insured for \$50,000, the policy carrying double indemnity in case of violent death.

Bellboy Tells About It.

Another moment of intense interest in the courtroom came when Raymond Reund, a rotund bellboy, took the stand to tell of the big black bag in which the lover, Gray, and "the other man's" frolicking housewife kept their regalia for their Broadway revels.

Raymond recalled a visit to the Waldorf Astoria Hotel in which the pair often retired to keep their trysts by Mrs. Snyder on March 21, after the crime. This time she was not accompanied by Judd. Three police officers were with her. The weekend bag—it was much larger than the over-night type—that the lovers kept parked there was produced from the check room and today its contents were dumped on a table in front of the jury box.

A Jamaica postman, his brass buttons rubbed to a high polish, and sporting a broad Brooklyn accent, was produced, to clinch the evidence of the insurance agent, Ashfield. George Marks, the mail carrier, was agitated. The lady called him into the house one day, he testified, and told him to be sure all the letters addressed to "J. of Jane Gray," were delivered to her personally.

"They are from some of the boy friends, you know," he said she explained.

Police Trap White Man

Harry Eisenberg Told Imaginary Tale of Being Held Up by Negroes

There seems to be a tendency among some white people to lose money and, to avoid detection, try to place the blame on some colored man. Another case was brought to light when Harry Eisenberg, white, of 1849 Fulton street, tried to explain to the police how he happened to be robbed on March 18.

"It's this way," he said to Lieut. Harry Hanley and Detective William King: "Two Negroes came at me from behind and hit me and took away my \$75."

The officers made believe they took Harry's statement seriously and asked him for a description of the men. He replied: "One was short and one was long," Eisenberg replied.

"Must have been that pair that have been holding up people around here the last two weeks," murmured Hanley to King. "Say, Eisenberg, was one of them mulatto and blind in one eye and the other short and ugly, hobbling on one foot?"

Harry answered that was the pair.

Shortly after that the police forced him to tell the truth. The white man stated that he had lost the money in a crap game and thought that this tale would be believed by the police.

In order to make the hold-up look real, Eisenberg is reported to have gone to a white friend of his and asked him to hit him on the head. The friend, after complying, called the police.

Harry is a chauffeur and collector for the Peerless Coat & Apron Supply Co., of which his brother is the head. While he was telling this tale to the police his brother had been communicated with and he came to the station house, but would not press a charge against him.

MUNICIPAL COURT DEFECTS.

Considerable fault has been found of late years with the organization and workings of the municipal court system in New York City. The Municipal Court deals with civil cases, not criminal, and its forty-eight justices are scattered over the five boroughs of the greater city. Its jurisdiction covers suits involving one thousand dollars or less, which includes an immense volume of rent cases. This court comes in direct contact with the poorer classes of the community, including many of those of foreign birth, or migrants from other sections of this country. It is therefore essential that its procedure should be freed from the charges of political favoritism that have been brought against it.

For several years the Municipal Court Commission has worked for the passage of a law at Albany to remedy the defects found in the structure and procedure of this court and to reorganize and reform in its machinery. The Fearon bill now before the legislature provides for the following changes: (1) A Chief Justice, elected by the electors of the City of New York at the next general municipal election, with extensive powers to make new rules, assign Justices and generally expedite the Court's business; (2) a chief clerk and a deputy chief clerk, appointed by and removable at pleasure by the Chief Justice; (3) clerks, deputy clerks and assistant clerks, appointed by the Justice in each district, but bound by new requirements to give their whole time to their respective duties and all removable by the Chief Justice for cause after due hearing.

There is no question that the courts could be greatly improved by concentrating the responsibility for their government in the hands of an elective official responsible to the voters of the whole city. Politics should be wholly divorced from any influence upon the judges or attaches of the court. In the reorganization care should be taken to retain those court attendants and clerks, who have not only given evidence of efficiency in their duties but of courtesy in dealing with the public. This latter quality is sadly needed on part of many officials in their conduct toward the people who have to depend upon their services.

The Municipal Court is essentially a court for the common people. It should be made easy for the poorest and the humblest to obtain justice there, with civil and courteous treatment as the practice of all its officials.

CHANGE IN POLICE HEADS.

The retirement of George V. McLaughlin as Police Commissioner has been the occasion of much eulogy, coupled with a wide expression of regret. The retiring police head tackled a hard job when he took charge of the department, which had become sadly demoralized under the preceding administration. Commissioner McLaughlin soon made his influence felt by his absolute fairness in dealing with the men under him and with all sections of the community. He made it appear that the duty of the police was to prevent crime and to protect the public. On the strength of this program he was able to secure large additions to the force and to restore its morale and efficiency.

In doing this, the Commissioner found it necessary to cut out a number of police frills, and to abolish soft details for favorites, so as to place the greatest number of officers possible on active duty. Efficient officers were assured of commendation and promotion for doing their duty and better discipline was enforced among the raw recruits, who had conceived erroneous ideas of the privileges and immunities of their uniform. Habitual drunkards were tried and dismissed from the force, as there is no greater menace to the public than such misfits in uniform.

The increased efficiency of the force shown since Mr. McLaughlin became its head was demonstrated by the arrest and conviction of a greater number of criminals, close upon the heels of their crimes, and the vigilancy of the force in preventing many robberies and holdups. His war on gambling aroused the opposition of the politicians, but he persisted in his course, although the trail took his men into the political club houses, where the gamblers had taken refuge. His pertinacity and determination took no account of political consequences.

Joseph A. Warren, who has been selected by Mayor Walker to succeed Mr. McLaughlin, possesses many of the qualities that made for the success of his predecessor. In his office as Commissioner of Accounts, Mr. Warren discovered the snow removal graft and showed considerable vigor in prosecuting those concerned, even when it involved members of the local organization. If he shows the same qualities in dealing with the police situation, he will do much to lessen the regret that was felt at the retirement of Mr. McLaughlin.

It is frequently said that the Police Commissioner is the official whose conduct of his office does the most to make or break the administration that appoints him. Mr. Warren evidently has the confidence of the Mayor and is in a fair way to earn the confidence of the public by the manner in which he meets the problems of his new position.

Good Government in Gotham

IN 1926 every nine minutes, day and night, a holdup, burglary or some other form of thievery took place in Greater New York. Approximately every forty minutes of the year, day and night, the police made an arrest. About 60,000 persons in 1926 were thus forcibly relieved of their worldly goods and the police were able to make about 12,000 arrests. Value of the stolen articles is estimated at about \$40,000,000.

THESE FIGURES were culled from the confidential records of 50 large insurance companies. Charges of milk and food graft running into tens of millions of dollars annually are matters of public record.

IN SPITE of this record, however, we find that "New York City is the best governed city in the world," according

to Tammany leaders interested in controlling the 1928 Democratic National Convention for the purpose of supplying a presidential nominee.

Murders in 1926 Less Than 1925 States Report

New York, June 1.—(AP)—The Spectator, a New York insurance journal, announced today that statistics for the country show a decline in the murder rate during 1926, as compared with 1925.

For 28 cities, which statistics have been collected since 1910 and which in 1926 had an aggregate population of nearly 23,000,000, the murder death rate for 1926 was 9.9 per 100,000 population, against 10 for 1925. Chicago again led in the number of homicides for 1926 with a total of 510, a decrease of 53 over the previous year. Other cities, listed in order of number of 1926 homicides, were New York, with 340 in 1926, 374 in 1925; Detroit, 327 in 1926, 243 in 1925; Philadelphia, 173 in 1926, 192 in 1925; St. Louis, 154 in 1926, 163 in 1925; New Orleans, 141 in 1926, 154 in 1925, and Birmingham, Ala., 124 in 1926, 112 in 1925.

COOK IS INDICTED FOR WIFE MURDER

Used Rusty Razor Blade in
Jealous Rage to Commit
Crime at Sea, Charge

NEW YORK, July 25.—(AP)—Earl Battice, negro cook of the schooner Kingsway, was indicted today for murder of his wife on the high seas. The extreme penalty for this crime is hanging, though the jury may recommend life imprisonment.

The indictment, handed down by the federal grand jury, charges Battice with killing his wife with a rusty razor in a jealous rage while the Kingsway was off the gold coast of Africa. Waldemar Karl Badke, the white donkey-engine man of the Kingsway, whose attentions to the negress are said by federal officials to have led to the killing, is held with Battice in the Toombs as a material witness.

The killing of the cook's wife was only one of many untoward incidents aboard the Kingsway during its recently completed year's voyage. The mate died on board, the captain was incapacitated by illness, Battice broke out of irons after the killing and mutiny was narrowly averted.

Battice will be arraigned tomorrow.

WILL ASK DEATH IN SEA DEED

Wife Slayer To Plead That
He Was Crazy By Wife's
Love For White Engineer
On Ship

NEW YORK, Aug. 10.—The "unwritten law" is expected to play a prominent part in the murder trial of Earl L. Battice, cook of the four-masted schooner, Kingsway, which began Monday before Federal Judge Anderson. The trial is expected to unfold a lurid tale of the sea in which the love of white sailors for the beautiful but distressed wife of Battice, Lucille, 23 years old of Gulf port, Miss., led to her death.

Select Jurymen.

Progress of the trial was slowed up by the selection of jurors. Each of the jurymen selected were asked to give his word that a wife's unfaithfulness would have no influence upon his consideration of the guilt of the husband who has admitted he slashed his wife's throat with a razor on Feb. 6 aboard the Kingsway. Battice's wife, the mother of his four children was buried at sea. The jurors also promised they would hold no prejudice against the defendant because of color that they would as readily believe the testimony of a seafaring man as they would that of a "landlubber," and, finally, that they were not adverse to capital punishment.

Battice Faces Noose

Battice, the small, well-dressed defendant, who has admitted that he slashed his wife's throat and later leaped into the sea, from which he was rescued by others aboard the Kingsway, looks anything but the type described in the indictment drawn under an age-old statute against "murder on the high seas," the extreme penalty for which is hanging. Battice, according to the indictment, "not having the fear of God in his eyes and being inspired by the devil," slashed his wife twice with a rusty razor so that "she languished and, languishing, died."

Although it is understood his defense will be that he was crazed by her love for Waldemar Karl Badke, white donkey engineman aboard the Kingsway, all questions about the "unwritten law" were asked by attorneys for the Government.

Crime-1927

New York

Courier

DEC 28 1927

Prejudice Shown in Trial of Negro for Murder Is Claimed

Special to The Buffalo TIMES.

WATERLOO, Dec. 28.—Prejudice is claimed by the defense in the appeal filed with the court of appeals in the case of Frank (Dixie) Baldwin, negro, under sentence of death for the murder of John W. Dickinson, Tyre farmer, on January 6, 1925. A copy of the brief for the appellant-defendant has been filed with District Attorney J. Willard Huff, by Attorneys Edward P. Murphy of Geneva and Daniel W. Moran of Seneca Falls. Arguments on the appeal are scheduled at Rochester January 16.

Jurors were allowed the freedom of their homes, friends and families while the trial was in progress is one of the contentions of the defense. Eleven points are set forth in the brief covering 22 pages, with decisions governing them. Some of the points covered are:

"There was no premeditation, deliberation or design to effect death and it was an error to submit to the jury any question of murder in any degree. The admission of evidence of the con-

versation regarding the crop was in error and prejudicial to defendant and for which the judgment should be reversed.

"The alleged threat by defendant to shoot one Edward (his brother) was prejudicial to defendant.

"It is claimed defendant made certain confessions to Sergeant William McNichols of state troopers and District Attorney Huff, neither of which was signed by defendant.

"The flight of defendant from the scene of the shooting has but little or no significance, considering the condition of the defendant."

It will be argued that in these confessions, Baldwin is alleged to have claimed he shot Dickinson in self-defense. He is said to admit making these statements, but claims they were not the truth and the reason he made them was because he was advised to do so by a friend while in a hospital in Boston. The defense will argue this does not constitute a confession.

SENTINEL
WINSTON-SALEM, N. C.

SEP 1 1927

Dastardly Crime

If the story told by a negro farmer near Whiteville is true, one of the most dastardly crimes that has been committed in this State in a long time occurred in Columbus County Monday night. The negro in question, John Stevenson, relates to the officers that a crowd of white men came to his home late in the night demanding that he come out. He naturally refused and the mob opened fire on his house, bullets passing through the windows and doors and four of his little children, huddled in a bed, were struck by these bullets. The firing continued until the mob had exhausted its ammunition, whereupon the band left.

The negro, frightened of course, was afraid to leave his house until daylight when he summoned aid for his children, and also had warrants sworn out for seven white men whom he identified as members of the mob.

So far as is known the negro had done no wrong, had broken no law and was at home with his family when the mob of cowards attacked. The fact that the mob stood off and pumped bullets into the defenseless home where little children were huddled in their beds shows the wanton spirit of murder that ruled that mob of men. They did not care if their bullets wounded or killed a little black child; they were brutes of the worst character and it is to be hoped that the hand of Justice will reach out and get every member of that mob and that each one will get a term on the rock pile that will cause him to sweat through many a hot summer day.

ASHEVILLE, N. C.

CITIZEN

SEP 10 1927

The Shooting Habit

ALBERT FORNEY, Negro, was shot and killed Thursday night in Marion by Policeman Frank Wilson, while Forney was fleeing from the officer after arrest.

It appears that Forney was drinking and driving an automobile at the same time, a serious offense, endangering life and limb of other citizens. But it is or should be a serious

offense, and one not committed by an officer, were found totally illiterate to act as jury, judge and executioner, snuffing out the life of any man, white or black, who is attempting to escape after arrest for nothing more heinous than taking drinks and running a car with cut-out open.

Additional facts may justify Wilson's act, but the officer left Marion after the shooting, was arrested at Spruce Pine and himself escaped from the officers there.

It is a not uncommon thing to shoot fleeing prisoners, fleeing bootleggers on the highways, or persons entirely guiltless who do not halt at the command of officers. And all these shootings make human life in North Carolina and all other states just that much cheaper. If a convict is weary of life, let him jump the stockade and run for it. If a dignified burgher is in fear of highwaymen when he sees officers waving him down on the roadway, let him step in the gas and risk his hide.

Officers of the law are engaged in a hazardous calling and they often forfeit their lives in the pursuit of duty. But one of their sworn obligations is to encourage lawfulness and regard for life and order, even at the risk of their own lives.

Crime Flourishes Among Uneducated

Chapel Hill, N. C., November 21.—Of 1036 negro convicts in thirty-three North Carolina prison camps recently investigated by the state university, it was found that not one had received the equivalent of a high school education and only three were rated as of high school grade, according to a report entitled "The North Carolina Chain Gang," just issued by the University Press. Thirty-four per cent of the negro convicts

and eighty-three per cent unable to read newspapers. Of the illiterates 268 were boys of public school age, between 14 and 20, indicating, as the report points out, prior failure to enforce the compulsory education law.

ASHVILLE, N. C.

Times

NOV 8 1927

Ignorance And Crime

EDUCATION is no guarantee against crime, for some of the shrewdest and most dangerous criminals are literate and well informed. But there is evidence on many sides that ignorance breeds crime while education prevents it.

In their study of the North Carolina chain-gang, Professor Steiner of the University of North Carolina and Roy M. Brown examined 1,036 Negro convicts in the camps to see what relation they could discover between ignorance and crime. The results are noteworthy.

Of the number tested in 33 camps it was found that not one had received the equivalent of a high-school education and only three were rated as of high school grade. Thirty-four per cent of these Negroes were found totally illiterate and 83 per cent were unable to read the newspapers.

This study of the colored convicts brings out another important point for the consideration of school authorities and citizens in general. Of the illiterates, 268 were boys of school age, from 14 to 20 years, indicating, as the report says, that the compulsory school law had not been enforced so far as these youths were concerned.

The authors of this survey of the convict camps do not undertake to draw conclusions as to the effect of ignorance on crime. But the facts as they present them seem to speak very eloquently for themselves.

In addition to the orthodox schooling it is important, of course, to give colored youth vocational training. This was the message of Booker Washington and the educational au-

thorities of the Southern states have found increasingly good results from putting it into practice. Certainly the white people of North Carolina have not found in their support of Negro education anything but cause to regard it as an investment in better citizenship and better relations between the races.

WILMINGTON NORTH CAROLINA

CAPITAL PUNISHMENT

"With the electrocution season just around the corner at the North Carolina state prison, many North Carolinians are probably asking themselves the question 'Is capital punishment right?' says Wade H. Lucas, Raleigh newspaper man, in a review of capital punishment in the state.

George Frank Bazemore, negro, is slated to be the first man electrocuted at state prison this "season" and the doomed black, convicted largely on circumstantial evidence, is scheduled to start his last march to the death chair September 23. He was convicted of having slain a white boy near Fremont.

"Although 40 of the 48 states in the union," Lucas goes on, "provide the death penalty statistics show only a small minority of those convicted of capital offenses are executed. Eight have abolished the death penalty.

"For example: In North Carolina the death penalty has been imposed upon 177 persons since the chair was installed in state prison in 1919. Of this number 88 have paid the supreme penalty. In New York, Warden Lewis E. Lawes of Sing Sing prison has compiled figures showing that during the ten year period from 1916-1926 there were approximately 4,340 homicides committed in New York state. And during that same period in New York state 119 persons were electrocuted.

"And yet the ever-recurring question: 'Is capital punishment right?'

"Noted writers have said capital punishment is inflicted chiefly when public passion has been intensely aroused and yet it is at precisely such times that mistakes are most often made.

"Modern writers tell us we are living in an age free from barbarism than other ages, and that our consciences are not made of as tough fiber as they once were. In other years, men and women were put to death for an endless variety of offenses.

"It has not been so very long ago here in North Carolina that the courts imposed the death penalty for more offenses than they do now. The re-

vised code of 1855, the last codification of laws prior to the Civil war, enumerates as many as 17 offenses for which the death penalty might be inflicted. The constitutional convention of 1868 declared the only forms of punishment in North Carolina should be death, imprisonment with or without hard labor, and fine. It also further limited the number of crimes for which the general assembly might prescribe the death penalty to four. These are murder, criminal attack, arson and burglary in the first degree.

"It may sound like the Dark Ages, but North Carolina once had—and it has not been more than 60 years ago—a law that prescribed where a person convicted of perjury in connection with a capital offense should suffer the loss of his right ear. The law read: 'The offender shall, instead of the public whipping, have his right ear cut off and severed entirely from his head, and nailed to the pillory by the sheriff, there to remain until sundown.'

leaves no opportunity to correct the inevitable mistakes of the law. If juries and judges have been mistaken, capital punishment makes compensation impossible."

"And yet the question: 'Is capital punishment right?'

But would Mr. Lucas himself do away with capital punishment? Would he open up to the criminals plain paths for the slaying of people with the knowledge that the most they would get in the way of punishment would be life imprisonment with chances of escaping this after a few years imprisonment or if forced to remain in prison for life to have the comforts of a prison made along the lines of a palace if the reformers continue their efforts which have already reached the point that it is next to impossible to force convicts to do the labor set aside for them at the various prisons?

Goldboro, N. C., News

NOV 9 1927

EDUCATORS AND CRIME

Of 1036 Negro convicts in thirty-three North Carolina prison camps recently investigated by the Research Department of the State University it was found that not one had received the equivalent of a high school education and only three were rated as of high school grade, according to a report entitled "The North Carolina Chain Gang", just issued by the University Press. Thirty-four per cent of the Negro convicts were found totally illiterate and eighty-three per cent unable to read newspapers. Of the illiterates 268 were boys of public school age, between fourteen and twenty, indicating, as the report points out, prior failure to enforce the compulsory education law.

The report draws no conclusions from these figures, but students of the race problem point that they seem to indicate a close connection between ignorance and crime and to furnish at least presumptive evidence of the value of Negro education in promoting good citizenship.

Among 800 white convicts studied in the same survey seven were found to have the equivalent of high school graduation, twelve were rated as of high school grade, and five as of college grade, though none was a college graduate. The study was made by Professors Jesse F. Steiner and Roy M. Brown, of the Department of Social Science, and covers all the more important phases of the chain gang system.

Crime-1927

FOR WOMEN OFFENDERS

Six hundred and sixty-six women were committed to jails in North Carolina in the year 1924, from twenty-one counties.

News Letter
This gives an idea of the number of delinquent women for whom no corrective treatment is being given. In the jails they suffer from lack of medical attention that practically all of them need. They are ready to die from lack of medical attention. *1-12-27*
Chapel Hill, N.C.
The law took them in hand. The individual offender nor the community profits by our present methods of treating delinquent women.

The State Board of Charities and Public Welfare is charged by law with the duty of recommending to the Legislature, among other things, "the creation of necessary institutions," and the Board is recommending the establishment of a Farm Colony for Delinquent Women.

A bill authorizing the establishing of a farm colony to care eventually for four hundred women, will be offered the General Assembly of 1927.

The establishment of such an institution has been adopted by the Legislative Council of Women as one of the five measures which it is advocating. The North Carolina Conference for Social Service has approved and advanced such a proposition for several years.

The need for such an industrial institution has long been recognized. The women who are serving sentences in jails are costing large sums of money. The average amount spent per day on their food alone is 75c. If this were spent on keeping them in an institution where they could be made to work and to become at least partially self-supporting, where they were given adequate medical attention, and industrial and moral training, we might hope for good results.

A farm colony for women is the type of institution which would make such conditions possible. Every effort would be made to make industry the dominant characteristic. It would be maintained not only to restrain and discipline, but also to train, rehabilitate and restore, to which end, industry contributes fundamentally.

It is clearly apparent that our methods of dealing with women who have been convicted of offenses against the law are inadequate.

Most of them are in county jails, poorly supervised workhouses, or county homes for the aged and infirm. They are surrounded by idleness, disease, low mentality, and everything that appeals to the worst in human nature. Some of them are turned loose on unsupervised suspended sentences, or conditional suspended sentences that are not merely futile but are positively vicious. One of these conditional sentences which is often pronounced is a term of so many days in jail unless the woman leaves town within a given time. By imposition of such sentences, Raleigh sends her women offenders, mostly prostitutes, to Durham, Durham to Greensboro, Greensboro to Charlotte, and so on till the vicious circle starts all over again.

Practically all the women serving sentences are under the supervision of men. It has been pretty generally recognized that women offenders should be separated from men and placed under the supervision of women. Only two jails that we know of employ matrons to care for women prisoners.

One of the provisions for the farm colony for women would be that the superintendent should be a properly trained, well-educated and spiritual-minded woman.

Provisions have been made, in many ways, for the employment of the men serving sentences in North Carolina. The State should recognize equally the necessity of providing industrial employment for women. We cannot afford, from an economic and a social standpoint, to avoid the question any longer. North Carolina should do some constructive work with this class of offenders. The farm colony for women offenders should be made a reality by the General Assembly of 1927.—K.B.J., in Public Welfare Progress.

N. C. GOVERNOR COMMUTES DEATH SENTENCE AFTER PERSONAL INTERVIEW

Raleigh, N. C.—Governor McLean last Wednesday night saved the life of Charlie Johnson, who was under sentence to die in the electric chair Friday. Clemency took the form of commutation to life imprisonment. The action followed a personal visit by the Governor to the prison where he stated "A most careful effort to elicit from him any fact or circumstance tending to establish his guilt proved unavailing."

The Governor stated further that he was resting his decision upon "strong and unequivocal statement of Trial Judge J. L. Webb and Trial Solicitor John G. Carpenter, who had better opportunity to weigh the facts than I could possibly have."

Johnson was convicted of murdering John W. Daniels, white grocer of Charlotte. The Superior court verdict was upheld by the Supreme Court, but a strong plea on behalf of Johnson was made to the Governor at a hearing here last week. Opposition to clemency from representatives of the murdered man's family also were offered.

Mistaken identity and contention that Johnson had been convicted because of previous bad character were put forward as grounds for clemency by the defense. Defense attorneys also contended that Johnson was convicted on evidence turned up by the Charlotte police department, in desperation because it could not locate the real culprit. In his statement the Governor made it clear that he found nothing in the evidence to sustain such a contention. Johnson stoutly has maintained his innocence, claiming that he was the victim of a frame-up.

WHIPPED SICK MAN.

There has been considerable talk about a colored convict on the Forsyth county convict camp dying soon after he had been whipped. Sifted out after investigation the following facts were developed: The negro was sent to the convict camp on Tuesday afternoon. Next day after he was sent to work it was discovered that he was ill. He was sent back to camp for treatment and was ordered to take a bath. He refused and was whipped. That was Wednesday afternoon. Early next morning he was dead. One statement said he was whipped for refusal to take a bath,

for disobeying the physician's orders; another that he was whipped for cursing a guard the day before, soon after his arrival at camp. Physicians who examined him said that there were welts on his back. But it is vehemently asserted by the camp authorities that the whipping had nothing to do with his death, which it is claimed resulted from diarrhoea. There is no evidence so far developed to indicate that the whipping caused the man's death. But it is clearly in evidence that he was whipped when he was sick—whipped either because he refused to do what the doctor ordered, which is a new method of handling refractory patients, or whipped for something he had done the day before. There can be no dispute about the fact that the man was whipped when he was sick, when he was known to be sick; and he must have been at the time quite ill of diarrhoea if that caused his death in so short a time. The best face that can be put on it, a sick convict was whipped and was whipped when it was known that he was sick. And for that there is no excuse.

TELEGRAM

SWIFTLY MOVING JUSTICE

A few more outbursts of speedy law enforcement such as characterized the trial and conviction of Poe Andrews, Franklin county negro, on an assault charge, will do more than anything else to bolster up respect for law in North Carolina and keep down all semblance of mob violence within the bounds of the state.

In two weeks time after the crime with which the negro was charged was committed the culprit has been tried, convicted and sentenced to die in the electric chair.

The speedy fashion with which the case was handled may have been mere chance as it occurred just as a term of court was about to convene. Be that as it may, however, the wholesome effect was the same. So vigorously and promptly did the law act that not a ripple of violence appeared on waters of the community where the crime occurred and there was no demonstration in the courtroom when the negro was tried or sentenced. The presence of troops was not necessary although the crime

was most revolting and outrageous in its nature.

The pity is that such a speedy justice is missing in so many instances. Lagging justice, particularly in such a case as that just handled in Franklin county, can do as much as anything else to fan sentiment and feeling into specific action and to leave a general disrespect for law and its enforcement.

The authorities have set an excellent example of swiftly moving retributive justice. The law has been satisfied and the public has been satisfied. It is to be hoped that authorities of other counties will learn the lesson set by Franklin officials and judicial district heads and see to it that the administration of justice in their respective confines be not delayed but meted out with all possible speed.

There is no factor more conducive to respect of law than justice swiftly and vigorously administered.

JURY FATES TO CONVICT IN N.C. FLOGGING CASE

Trial Grew Out of Charges Brought by Mrs. Kate Burr Johnson

By Associated Negro Press.

Raleigh, N. C., June 15.—The grand jury investigating the charges that Colonel Jones, a Negro convict, had died from beatings administered by guards at one of the prison road camps, brought by Mrs. Kate Burr Johnson, Commissioner of Public Welfare, reprimanded the individuals responsible for the flogging which is alleged to have resulted in the death of the convict, but refused to convict the men on the evidence presented. The reprimand was as follows:

"It is evident that certain rules governing punishment have been violated. From evidence submitted Colonel Jones was ill from the time he arrived at the camp until his death, and we have found that the county physician may have been negligent in allowing the prisoner Jones to be worked while sick, and also permitting him to be whipped. We also found that Sam Jones and Smith Coble used abusive language towards the prisoners."

The whipping was done by H. O. Burk, supervisor. Jones and Coble were men who worked the Negro. The physician was Dr. James M. Lash.

OUR COUNTY CHAIN GANGS

Only by calling the county chain gang "ours" may we appreciate fully that the problem is up to all North Carolinians. The system as operating in many counties of this state is antiquated and should be remedied or abolished.

That county convict road working fails economically and as a penal institution, except in a few counties that have a large number of prisoners, is shown by Jesse F. Steiner and Roy M. Brown in a recent study published by the University of North Carolina Press. Their findings comprise a vivid picture of the county chain gang system.

Based on data from 20 of the 48 counties that maintain chain gangs, and including 1,521 of the 2,500 prisoners in these groups October 1, 1926, the study may be regarded as sufficiently broad to represent conditions generally over the state. It deals with questions of sanitation, discipline, economic aspects and county versus state control of convict road work. While stressing the need of prisons where social correction rather than mere punishment will be the primary aim, the research workers indict strongly the existing practices in small counties.

In the chapter on "Health and Sanitation," cases revealing almost unbelievable lack of sanitation and medical care at some of the temporary camps are cited from reports of the State Board of Charities and Public Welfare. It is unfortunate that names of the delinquent counties are omitted and that few case histories are cited. "At least three-fourths of all the county prison camps occupy quarters of such a nature that it is exceedingly difficult if not impractical to maintain healthful living conditions for prisoners even under the best management, the investigators assert.

"Final recourse, in case bad conditions continue, is to the courts, a step that has not yet been taken, although many violations of the law are of long standing with no apparent effort by the county authorities to improve conditions." Under the law, it is pointed out, the State Health Board makes recommendations with which counties must comply regarding camp sanitation.

Inspecting 53 county camps in 1925, including the permanent, well kept camps as well as temporary ones, the following average percentage grades were recorded: Location of camp, 83; construction, equipment, ventilation,

etc., 73; water supply, 71; clothing, 77; bedding, 64; sewage disposal, 49; vermin, 67, flies and mosquitoes, 54.

"Buncombe County's law provides that only prisoners sentenced for five years or under may be sent to the roads, and, further, that the Board of County Commissioners may 'in its discretion abolish the use of striped clothing as a garb for the use of prisoners in said county of Buncombe altogether.' The same law, on the other hand, specifically provides for flogging as a means of discipline, though it attempts to guard against what it terms cruel and unmerciful beating."

Doubtless many penal officials will not agree with the conclusions reached by those engaged in disinterested study of the chain gang problem. Many will cling to the theory that a prison is intended primarily to punish. If this volume helps to break down "the deterrent philosophy of punishment," it will have achieved sufficient good to justify its publication.—Asheville Citizen.

Even-Handed Justice Is Aim of N. C. Judge

Winston-Salem, N. C., Aug. 5.—"Under the skin we are all humans and entitled to be treated alike before the law," said Judge A. M. Stack as he sentenced Joseph Cline, Clarence Allred, and Samuel Spach (whites). "Here I have just tried a colored boy for taking a purse with \$23 in it. How can I send him to the roads and give you young white boys suspended sentences?"

And with these remarks Judge Stack sentenced Cline and Allred to four months each on the Forsyth County roads and gave Samuel Spach thirty days in jail to think it over. A nol. pros. with leave was taken in the case of Marvin Carlton, charged with larceny in connection with the same offense.

Reprimands Bosses, But Won't Indict

RALEIGH, N. C., June 16.—(By P. N. S.)—Flogging a Negro prisoner to death appeared to be a matter of small consequence, and so, following the death of a prisoner by the Forsyth County grand jury in connection with the

death of Colonel Jones, a prisoner who died April 21, two days after being brought to camp and one day after being severely beaten, no one was indicted. The State Welfare Department head, Mrs. Kate Burr Johnson, made a vigorous effort to secure an indictment. The grand jury refused to indict, but reprimanded camp officials as follows, in part:

"It is evident that certain rules governing punishment have been violated. The evidence presented shows that Colonel Jones was ill from the time he reached camp until he died. The county physician may have been negligent to have permitted Jones to work while sick, and also permitting him to be whipped. We also found that Guards Sam Jones and Smith Coble used abusive language towards the prisoners."

The whipping was done by H. O. Burk. The prisoners were worked by Jones and Coble. Dr. James M. Lasley was county physician.

Mrs. Johnson testified that she accidentally happened to be in Winston-Salem at the time and viewed the body, which showed that the dead man had been severely flogged, the skin being broken in a dozen places, and there was some evidence that he had been kicked and cuffed.

"A Negro Did It"

A news item from Charlotte, N. C., states that one Thomas Jacobs, a white man, has surrendered himself to the police, confessed his part and implicated another white man in the slaying of one Earl Williams, also white. It seems that Williams was shot at a place called Hickory some days ago and before dying insisted that he had been shot by a Negro. Mystery surrounded the shooting. The police were baffled. Jacobs, in his alleged confession declared that after Williams had been shot once by the other man implicated, he begged for mercy promising that if his life were spared he would tell the police that a Negro had done the shooting. He lived long enough to keep this promise and died without repenting. It is only because Jacobs' conscience stricken and confessed, that the truth is known.

What varied and sundry ills we have to bear! Here was a white man lingering between life and death, when most men are supposed to speak nothing but the truth if they speak at all, yet choosing through a deliberate lie to saddle a white man's crime upon the Negro race. "A Negro Did It." Legal murder, lynching, race riots, long penitentiary sentences, and outrages against the innocent numberless are buried behind that phrase. It has shielded the crimes of hundreds of whites and subjected hundreds of guiltless blacks to calumny and death. "A Negro Did It," was the cry of the white girl in Coffeyville, Kansas, who some weeks ago, suffered the exposure of her shame, later learned to have been the result of voluntary intimacy with a white man. Her lips upon the race provoked a small race riot and came very close to precipitating a lynching. She was later arrested

and charged with concealing criminal information from the police, after confessing that no Negro had any connection whatever with her predicament. But it is not always that the truth comes to light when the cry "A Negro Did It," is uttered. More than often mob hysteria is immediately fired; the very phrase itself is accepted as a fact in finality, and both the mob and the authorities of the law bend their efforts to find the mythical Negro. And with very little trouble they usually produce him in the flesh. If the victim is still alive he or she generally adds to the creation with a complete "identification."

"A Negro Did It"—such a convenient phrase with which crimes of white people are buried into the Negro race. Exact justice demands that these words be given the most searching scrutiny every time they are uttered in connection with crimes in which rather profligate white men and hysterical white women are involved. They well know the psychological attitude of their public regarding the Negro and crime, and they find it easy to divert sympathy toward them and resentment from their deeds by the simple expedient of crying, "A Negro Did It."

How many innocent Negroes have languished and died on the gallows or at the hands of mobs, because some white person cried, "A Negro Did It," will never be known. But the truth has come to light in a sufficient number of these cases to caution the public and the authorities to beware, beware, a thousand times before accepting for a fact the cry, "A Negro Did It!"

STATE HIGHWAY EXPENDITURES

LANDLESSNESS AND CRIME

If the founders of the Republic could have looked forward to a time when the owners and tillers of the soil should form an ever-dwindling percentage of the population, they would probably have given up the nation for lost. In our early days the landowner was the foundation of society. His property made him a defender of law and order; and since he stayed in one community, he was subject to the beneficent effect of a continuous public opinion. Even the tenant or laborer rarely moved, so that he too was subject to social pressure.

But with transportation easy, jobs plentiful, and places to live rentable nearly everywhere, we can go through life without really belonging anywhere or being subject to any community's opinion. The economic revolution through which we have been passing, which has added so much well-being to the general mass of the population, has at the same time produced flat-bred floaters in the cities and wanderers in the country. These men are free from most of the restraints of organized society except penalties of the law—and fairly oblivious of them. The good in this economic revolution has vastly outweighed the evil, but the evil is nevertheless large and worth most careful study.

Dr. E. C. Branson, whose article on The Forgotten Women appears elsewhere in this magazine, has made a study of the relation of the landless man to crime, a part of which he reports in these words:

"The ownership of land tethers a man to law and order better than all the laws on the statute books. It breeds in him a sense of personal worth and family pride. It identifies him with the community he lives in and gives him a proprietary interest in the church, the school, and other organizations and enterprises of his home town or home community. It enables him to hold his family together, makes him a better father, a better neighbor, and a better citizen, mainly because it makes him a stable, responsible member of society. Landless men, white or black, in town or country, tend to be restless, roving, and irresponsible; and the restless, roving, irresponsible multitudes of America

are a fundamental menace to society.

"These are some of the things we had in mind the other day as we journeyed into a mid-state county of North Carolina to study the criminal dockets of the two court sessions of the last twelve months. . . . Of the eighty criminals convicted in this county, the county we studied, fifty-six were tenants, owning not an inch of the soil they cultivated or a single log to the roof over their heads. The tenants are nearly one-third of the population, but they committed more than half of the crimes.

"All the tools, all the weapons were in the hands of the tenants. . . . The tenants furnished three-quarters of the convictions for larceny and illegal receiving, four-fifths of the convictions for operating a white intoxicant, four-fifths of the abandonment, and four-fifths of the bootlegging. . . .

"But landlessness is not merely a country problem. In towns of ten thousand inhabitants or more in North Carolina, from two-thirds to three-fourths of all the people live in rented homes; and they are forever moving from house to house, from city to city, under the pinch of necessity or the lure of opportunity. . . . The more populous and prosperous an area becomes, the fewer are the people who live in homes of their own. It is a penalty we pay for what we are pleased to call progress. And it is the cruellest paradox of Christendom. Eighty-nine percent of all the persons in greater New York live in rented homes—in the tenements, apartment houses, and family hotels of a cliff-dwelling civilization. Sooner or later America will have to reckon with her landless, homeless multitudes. Our landless are already nearly half the population of the nation—more than fifty million persons in the United States.

"Civilization is rooted and grounded in the home-owning, home-loving, home-defending instincts. Herein lies the essential social significance of land-ownership."

In our agricultural days few men owned property who did not own land, so that practically speaking the term

landowner embraced all those who had a financial stake in the country's success. A man now, however, may have a very large stake in the country and not be, directly at least, an owner of land. It may be that land owning has not the same significance it used to have. But a family that has no fixed position and no obligations to any particular community is not likely to contribute its share to the social and political activities which are necessary to civilization, even if it does not actually become a burden by its lawlessness or disregard of the rights of others. — World's Work, December, 1926.

White Boys Fill The Courts, Says Lawyer

Burlington, N. C.—Attorney W. H. Carroll, dean of the Alamance County bar, and one of the leading white lawyers of the state, speaking on "Citizenship," in the Richmond Hill graded school auditorium, asserted that "The courts today are not filled with Negro boys, but with the sons of white people."

The occasion was a birthday celebration tendered the Rev. Simon Walker, Negro preacher and educator, by colored and white citizens of the community. The Rev. Mr. Walker, familiarly called "Uncle Simon" by his people, had reached his 70th year, and is beloved by his people, who recognize him as a leader. The celebration was a complete surprise to him.

Mr. Carroll, in his speech, paid a tribute to the progress and advancement of the Negro race since the recent world war, and of his growing obedience to the law.

Colored fellow citizens who paid verbal tribute to Rev. Walker were Tom Duck of Durham, a former citizen here; Sam Thomas, Rev. G. S. Gant, Rev. J. B. Boykin, M. K. Tison and J. F. Gunn.

Music was furnished by Charles Hazel's Harmonizers.

Prison Floggings.

The North Carolina supreme court holds that the flogging of prisoners is legal in that state. The case was brought before the tribunal by the appeal of a prison camp superintendent, who was penalized in a lower court for whipping a prisoner.

We can only infer that the higher

court has correctly interpreted the state law. But, even though legal, such authorization does not alter the fact that prison camp floggings are inspired by the brutality of camp overseers just about as often as by a conscientious effort to make an unruly prisoner observe disciplinary rules.

Within recent years there have come to public notice several instances of such brutal punishment of men confined in prison camps of the south for petty offenses that death resulted. These outrages have aroused the nation and there is an ever-growing sentiment against the legalizing of these floggings.

Too often the severe punishment meted out is the result of an unjustified rage on the part of a merciless prison overlord, who takes advantage of his position to vent his spleen on an unfortunate in his power.

If the offense of a man justifies death, he should be put to death in the manner prescribed by law. Under no circumstances should he be made the victim of torture before being executed.

Wherever tried it has been proved that an unruly prisoner may be conquered and made to conform to prison rules by solitary confinement, on a bread and water diet. A few days of this, and the most obstreperous convict will weaken.

Furthermore, this more civilized punishment gives the enraged keeper time to cool off, and in this way may prevent him from the commission of a crime in his official capacity that would reflect on his state, and perhaps haunt him for the remainder of his days if conscience is not dead.

The North Carolina law provides that when a convict becomes so unruly as to warrant the infliction of corporal punishment the superintendent must call in two persons of good moral character to witness the flogging.

That, of course, leaves it to the superintendent to determine just what constitutes good moral character, and not every superintendent is qualified to pass on such matters. But, even if all of them were, it

would be possible to beat a helpless prisoner to death with two persons of good moral character looking. Even the presence of angels would not be a balm for the wounds inflicted.

Offenders against the law should be punished, but they should not be subjected to torture.

Even though floggings are legalized in some of the states, we do not believe they are justifiable. They are a relic of barbarism, out of keeping with our twentieth century civilization, and open the way for outrages that should not be tolerated.

Prison camps at best are too often hell-holes for the unfortunates within them, and our Legislatures should remove, so far as possible, the opportunity for brutalities on the part of those in charge.

Justice To Negro Is Plea Made By Mrs. Barrett

"Negroes are asking for less charity and more justice; less help and closer understanding. The Negro is moving forward under the control of his own objectives, the ideals of American institutions and democracy. He wishes to be known for what he is, even in his faults and shortcomings," said Mrs. Harry M. Barrett yesterday in a paper, "The American Negro," read at the meeting of the Fortnightly club.

"He resents being spoken of as a social ward," continued Mrs. Barrett. "Religion, freedom, education, money—he has hoped for and trusted these things, but he does not think that these alone will solve his life problem. His belief is in collective effort and race co-operation. His mind, as yet, reaches out to nothing but American wants and ideals."

For generations, in the American mind, Mrs. Barrett had said in opening her paper, the Negro has been a "subject of discussion; something to

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be argued about; something to be kept down, or kept in his place; by some, to be helped up; by others, considered a social burden." She traced the influence this attitude had on the negro, of the development of self-respect and self-dependence until the "Negro is lifting himself out of his former state thru education, art and poetry."

One of the causes of the change in attitude of the negroes and their efforts to improve themselves, Mrs. Barrett attributed to the shifting of the negro population to all parts of the country. "A new epoch for the American Negro was brought about," Mrs. Barrett also stated, "by the combined influences of Paul Laurence Dunbar and Booker T. Washington, who began to attract the world's attention in 1895."

Washington Elevated

Negro's Condition

"Washington showed that by a new kind of education the Negro could attain an economic condition that would enable him to preserve his identity and make him an important factor in American life. Dunbar revealed to the Negro the possibility of creating new forms of beauty from the conditions of his life. Many new poets were found and education advanced by leaps and bounds."

"In Chicago at a meeting of the National Association for the Advancement of Colored People, resolutions were passed and adopted for a million dollar program for promoting more perfect race equality. At this time, the Springard Medal was awarded to Dr. Carter Goodwin Woodson for ten years service in collecting and publishing records of the Negro in America. These were published in a book entitled 'The Negro in Our History.'

"The Springard Medal was established in 1914 by J. E. Springard, chairman of the executive committee of the National Association for the Advancement of Colored People. This medal was to be given to the man or woman of African descent and American citizenship who, during the year, had made the greatest achievement in any line of endeavor."

Half Million Negroes

Moved to the North

Mrs. Barrett then described the migration to the north of 500,000 negroes during the war because of demand for labor. She stated in certain places the skill of negro workers increased in ten years from 3 per cent to 100 per cent. She discussed the serious and industrial problems that developed because of friction between

whites and black in the labor field. Mrs. Barrett spoke of the work that negro women are doing in the professions among their own race, saying in part:

"The colored woman is meeting discouragement because of her color, not because of her inability, or undependability but she is meeting these rebuffs courageously, developing within herself the moral strength to rise above these unjust attitudes. The colored race is fighting for equal rights and equal opportunities; magazines are being published whose object is to encourage these ideals. One, The Crisis, the organ of the National Association for the Advancement of Colored People, has a circulation of almost 100,000."

Mrs. Barrett quoted Prof. Frank H. Haukins of Smith and Amherst colleges to show that the negro, as a race is facing extermination by death or absorption into the white race. Two conditions indicate the death of the race; a decline in the birth rate, and an increase in death rate. Between 1910 and 1920 it is estimated that 500,000 negroes crossed the color line by succeeding in making themselves indistinguishable from white, except by the closest examination. To all appearances, they are white; and frequently marry white husbands or wives."

Negro in the World War; Colorado

Church and organizations, schools, literature, drama, spirituals, the Negro in the World war, the Negro in our government, were interestingly discussed by Mrs. Barrett.

Winners Beat Man Who Attempts To Protect Home

Associated Negro Press

ROXBORO, N. C., Feb. 23--When he demanded an explanation why his home was to be searched and attempted to prevent the officers from entering until a warrant was shown, Henry Forgeye, living near here, was knocked down and severely beaten by Sheriff N. V. Brooks and his deputy W. R. Gentry. According to the side of the story, Forgeye threatened to shoot the sheriff and grappled with him and in the struggle the deputy struck the Negro over the head with his revolver.

TIMES

APR 24 1927

SOMETHING WRONG SOMEWHERE

A negro named Colonel Jones of Forsythe county who was sent up for 18 months on the charge of assault with intent to kill, arrived at the prison on Tuesday of last week and was whipped because he refused to take a bath and died on Thursday.

The whipping occurred in the presence of the county physician who states that Jones died as the result of a case of diarrhoea. In other words Jones was sick at the time he was whipped and this the physician should have known and therefore prevented the whipping.

The law directs that the whipping of prisoners shall only be done whenever it is absolutely necessary to compel them to work but certainly not when they are sick. On account of the brutality of some of the guards who are not able to control themselves and who have not the judgment necessary to cause them to be able to temper justice with mercy the law prescribed that whipping shall be done only in the presence of the county physician in order for him to determine whether they are first physically able to work and secondly whether they are able to stand the whipping.

In this instance it would seem the county physician possessed about as little intelligence and sympathy as the guard who administered the punishment.

WHITE MAN IS GUILTY OF FRAUD

RALEIGH, N. C., April 28--D. D. Johnson, white of Garner, was convicted of false pretense in Wake Superior Court last week and sentenced by Judge Devin. He was charged with selling mortgaged land to Tonie Leach, a race man, having received \$275 as part payment for same.

WILMINGTON NORTH CAROLINA

SINK TALKS OF CRIME

"White man's negroes are the killers," believes H. H. Sink, retiring state pardon commissioner. "killings resulting from drunkenness, drugged condition, or where such outside influences came into play."

"There are no records to prove it," He illustrated his point with the case of William Dorrah, negro janitor in his office. Mr. Sink obtained a parole for Dorrah, imprisoned by killing his wife. He characterized him as one of the most faithful and industrious negroes he had ever seen, as one to whom he was attached so firmly that he gave him living quarters in his own servants' quarters. But this month Dorrah killed his second wife in exactly the same manner he murdered his first. A reward now hangs over his head.

"Negroes sent to death or to prison for murder are usually of the mild, courteous type that identified them as 'white man's negroes.' The term he explained as denoting a negro by habit industrious, unobtrusive and uniformly respectful to white employers over his head."

"My theory is this," the commissioner averred: "She probably ran counter to him when he demanded the same of her that he gave to the white folks he knew, so he killed her," the commissioner said.

"This type of negro gets used to a type of servility to the white men he regards as his superiors, and gives them the best he has."

"Then he turns to his own people whom he regards as inferiors and demands the same servility from them that he himself gives the white people he knows. He doesn't get it, and not possessing the same mental balance of the better class white man, brutal instincts arise and he kills."

The land had been mortgaged for for \$1,150 and the notes hypothecated with the Commercial National Bank in Raleigh. Johnson said he had applied the payment to reducing the mortgage, and that he had an agreement with Leach that he was to pay only \$425 more in order to get the title. Leach said he bought the land in good faith for \$700, and did not know that it was under mortgage with a note by a third party.

Crime - 1927

Pennsylvania.

Negro's Vocation Robbery; Employed by White Gang

Pittsburgh, Pa., April 12.—(P)—Robbery on a commission basis was the story told today by detectives by Hansel Lee, giant negro, who confessed that he staged some one hundred burglaries for a gang of white men, who he claimed, paid him a commission, amounting to from 10 to 25 cents to several dollars for a "job." Lee was captured last night entering a residence by way of a window.

RESCUES COMRADE OFFICER

Colored Officer's Comrade Slays Member Of White Gang In Battle, Wounds Another

PHILADELPHIA, Aug. 3.—(Special) Displaying courage and loyalty to duty a white patrolman killed a member of his own race and mortally wounded another in aiding a colored comrade officer who was attacked while patrolling a beat with him.

Policeman Attacked

The two policemen from the 4th street and Snyder avenue station were walking their beat at 2nd and More streets Sunday night. In this waterfront vicinity, which is one of the toughest in the city they passed a gang of 20 or 30 whites, who were acting in the most disgraceful manner and seemed under the influence of liquor.

As the officers passed and warned the crowd to cease its disturbance and started on their way, one of the group cried, "get him," and they sprang upon patrolman James Raglin, before he had a chance to defend himself. They seized officer Raglin's baton and struck him with it, and beat him with their fist and kicked him, calling him a smart ni—.

Fires into Crowd

Officer Henry Pfeiffer, white, seeing the plight of his comrade, drew his revolver and ordered the men to stop beating his fellow officer, but they continued the attack. Then he fired two shots into the crowd. One of the bullets struck Joseph McGoldrick, 29 years old, in the head, and he slumped to the side walk. The second shot struck Chas. Dunlap, 28, between the shoulder blades, and he, too, slumped to the pavement.

Arrest Seven

Other policeman attracted by the shooting arrested seven men.

The wounded whites were rushed to the Senai hospital where McGoldrick died a few hours later and surgeons said Dunlap would probably die. The bullet went thru Dunlap's body and came out thru his chest.

Patrolman Raglin was treated for scalp wounds.

Police officials said they were confident of clearing Patrolmen Pfeiffer and Raglin.

Times
Eric — *La*
JUL 28 1927

Enforcement by Crime

THE attitude of the more conservative newspaper of the country toward the attempts at prohibition enforcement, is summed-up in the following editorial which appeared recently in the Chicago Tribune. The newspaper with many other metropolitan papers have severely denounced the underhand methods used by this government in securing evidence. It reads as follows:

"Two weasels, euphemistically known in prohibition enforcement as undercover men, were given employment in Washington at the instigation of Henry M. Douthitt, field secretary of the Citizens' Service association, a forward looking aggregation of conscious virtues. The Washington police soon had reason to suspect that the agent recommended by the association were traveling true to type and a trap was laid for them.

They were assigned to go to a certain place and, if possible, make a purchase of contraband. If they had gone to the place they would have been dealing with a policeman, himself engaged in the decorous strategem of posing as a bootlegger, but they did not go. They appeared later, however, with a pint of evidence on which they asked for a search warrant to proceed against the place of their assignment, swearing that they had purchased the liquor there.

"When they were confronted with the real evidence they

confessed that they had made the buy of a Negro and were planning to swear to it against a man innocent of any transaction with them. This apparently is one case of criminal procedure which is not yet recognized as legitimate in the performance of duty and as such entitling the offender to the protection of the federal courts. The weasels were jailed for perjury.

"The performance of duty has been construed to cover murder, intoxication, manslaughter while intoxicated, entrapment and general disregard for law, order and the security of life and property. It has been held a performance of duty to shoot up innocent pleasure craft or to run them down, to fire into automobiles or to run them down, to kill by mistake or for no explainable reason whatever. The suspicion that a citizen might have a pint has been regarded as sufficient justification for shooting him to satisfy curiosity. State police laws have been set aside. Federal agents, whatever their character or their acts, are accountable not to the state in which their crimes are committed but to the federal court.

"How much perjury by prohibition agents has been given as evidence for the conviction of citizens no one will ever know, but this outrageous Washington case is enough to put all the undercover men in disrepute. All such evidence should be regarded as worthless in any court. Prohibition enforcement has attracted more men without character, scruple or conscience than the United States government ever before had on a pay roll. Most of the work in its essential is lower than old time employment in a tough barroom and the morals involved are about the same."

TRANSPLANTED NEGROES

Referring to the statement of Judge Lewis of Philadelphia to the October Grand Jury that "apparently 75 or 80 per cent of persons held in prison charged with crime" are negroes, and to "the inference he drew from that premise," the Philadelphia Record points out that persons in prison charged with crime are untried persons who may or may not be guilty and "who have been unable to get bail." The Record also offers in extenuation a statement notable for its recognition not only that the black man has a wider industrial opportunity in the South but suffers less industrially from race prejudice there—as follows:

"The Southern negro transplanted to the North is a victim of unfavorable environment. He usually comes here to take a specified job, and when the work is completed he finds it difficult to land another. This is partly because so many avenues of employment open to him in the South are closed to him in the North, both by union rules and by race prejudice. Idleness and ignorance are prolific causes of crime."

The Records finds, however, that Judge Lewis's estimate of the proportion of negroes among untried prisoners in Philadelphia is "not far from correct." It learns by inquiry that the untried inmates of Moyamensing Prison are "about 70 per cent colored"; that in the country prison at Holmesburg, the negro ratio is 65 per cent among prisoners serving sentence; and that in the Eastern penitentiary the negro proportion is "over 35 per cent"—startling figures in view of the fact that the negro population of Philadelphia is "but 8 per cent." Hardly less significant is the noted fact that 22 per cent of the persons arrested in Philadelphia in 1926 were negroes.

By way of partial explanation of the disproportionate criminality of the blacks the Record quotes a social service authority as saying that "every negro who comes here totes a gun, but his offenses are mostly bootleggings, sneak-thieving and house-breaking." Police authorities are quoted as saying that "usually the crimes of violence committed by negroes are shooting and cutting affrays arising over women and crap games." Although desirous to be charitable, the Record admits Philadelphia's serious problem, its negro population furnishing "an undue proportion of the grist for our courts."

Black Face White Thug Gets \$20,000 Payroll

READING, Pa. J. Weston Evans, white bank clerk was held up at the door of the Birdsboro post office near here and robbed of a \$20,000 payroll, Wednesday.

When he recovered from the beating he received, he said his assailant was a white man who blacked himself to look like colored.

Eighty Per Cent of Criminals Are Negroes Is Claim Of Judge Lewis

PHILADELPHIA, Nov. 4.—(AP)—The time is not far distant, Judge Edwin O. Lewis, of common pleas court, said today, when the large cities will erect barriers to prevent wholesale entrance of "persons coming from the Black Belt of the South or belts of the least education in Europe."

Judge Lewis made this statement today in an address from the bench to the October grand jury, commenting on the influx into the city of "undesirables," he said:

"I believe you have learned something that has amazed me, and that is the great number of members of the colored race who are charged with crime. Apparently 75 or 80 per cent of persons held in prison charged with crime are colored persons. I believe that this is due to the indiscriminate

migration from the rural sections to the large cities.

"I believe the large cities should have a right to say who shall enter into their confines, otherwise Philadelphia and other cities within the next 10 years will not be fit to live in. Some sections of them are not fit to live in now. As a result of the senseless herding of immigrants, including our own domestic migration, the lack of proper housing, proper work, and proper education, our criminal courts are kept busy."

Clarence R. Whyte, negro principal of a school here, said that Judge Lewis statement was "an insult to the 50,000 negro families who own homes in this city and conduct themselves above reproach."

South Carolina Supreme Court

Reverses Murder Conviction

RECORD
COLUMBIA, S. C.

New York, April 11.—The Supreme Court of the State of South Carolina has reversed the conviction of murder of Jim Davis, a colored man who shot and killed a white road gang foreman who had come to his house with the expressed intention of removing the colored man's two daughters.

The reversal was procured through L. G. Southard, the white attorney of Spartanburg, S. C., who risked his life last fall to defend the Lowman family three of whose members were later lynched.

Mr. Southard has visited the offices of the N. A. A. C. P., and has returned to South Carolina to arrange for new trial for Jim Davis.

In his brief before the State Supreme Court Mr. Southard pointed out that there was intense excitement in Fairfield County, mobs hunting Jim Davis for several days after the shooting and threatening death to the colored man on sight; that owing to the popularity and influence of the slain white man it had not been possible to procure any local attorney to defend Davis; that despite these facts the court denied a change of venue for the trial.

Indication of Prejudice

The State Supreme Court in reversing the conviction said: "The alleged facts set forth in the petition were indicative of an atmosphere strongly prejudiced to the defendant—It appears also that the Governor had reasons for thinking that the defendant would be unsafe in the Winnsboro jail and so detained him in the penitentiary practically up to the time of trial. That the defendant could not get paid local counsel at Winnsboro to represent him, strongly indicates the state of feeling in Fairfield County against him."

The State Supreme Court furthermore pointed out that a "dying declaration" of the slain white man had improperly been admitted as testimony, since the man was not at the time he made it in expectation of death.

The N. A. A. C. P. has promised its aid to Mr. Southard in a new trial for Jim Davis and Mr. Southard is at present endeavoring to procure local counsel to assist him, change of venue having been granted as a result of the State Supreme Court's decision.

More White Men Than Negroes in Recorder's Court

White men out-numbered negro men as defendants appearing before the city recorder last month, according to the monthly report of the police department, prepared by W. B. Hughey, clerk. White men numbered 298, white women, 32, negro men, 271, and negro women, 84.

The total amount of fines amounted to \$4,470.75. The total number of fines paid was 359. Disorderly conduct lead as an offense most frequently committed, with a total of 104 defendants being charged with this violation of the city ordinance. Numbers of defendants for other offenses were 85 for gaming, 73 for traffic ordinance violations, 71 for violation of the prohibition law, 67 for drunkenness, 55 for drunkenness and disorderly conduct, 24 for loafing and loitering, 20 for reckless driving, 29 for vagrancy, ten for petit larceny, 18 for assault and battery, 14 for operating car while drunk, and 14 for speeding.

It is not generally known that John L. Sullivan, the champion pugilist, was something of an all-around athlete. He played football in his younger years and the claim has been made that he could run 100 yards in better than 11 seconds.

6 NEGROES CONVICTED AT BEAUFORT TRIAL

Beaufort, S. C., July 2—(AP)—Frank Francis, Paul Francis and Abraham Camden, negroes of this section, were found guilty of the murder of F. Langford, rural policeman, in general sessions court tonight and were sentenced to die by electrocution on Friday, August 12.

Ethel Francis and Robert Adams, tried with the others, were found guilty with recommendation to mercy, and were sentenced to life imprisonment, while Sam Simmons, found guilty of manslaughter, was sentenced to serve 10 years in the penitentiary.

The negroes, whose trial was conducted under guard of two companies of militia equipped with two machine guns, were accused of the murder of Policeman Langford, who was shot to death at a disorderly negro picnic five miles from here on June 6, when he visited the scene to suppress disorder.

WHITE CRIMINALS OUTNUMBER NEGROES FOUR TO ONE IN S. C.

York, S. C.—Nearly four times as many whites as negroes were convicted at the recent term of criminal court for York County.

Eleven white defendants were given penitentiary or chain-gang sentences, while the number of negroes convicted was only three.

16-YEAR OLD BOY TO DIE IN CHAIR IN SOUTH CAROLINA

McKinley Thomasson Is Indicted, Tried, Convicted and Sentenced Same Day

By The Associated Negro Press
York, S. C., July 20—After deliberating fifteen minutes, the jury returned a verdict of guilty and the judge sentenced McKinley Thomasson to die in the electric chair for the murder of Mrs. Frances Thomasson, a 18-year-old white woman. The boy was indicted, tried and sentenced Monday. The date set for his execution is August 12.

Young Thomasson was brought here from the state prison early Monday morning and carried before the Grand Jury, who in ten minutes indicted him and true bill was returned. A few hours later found him before the judge, without counsel. The judge appointed counsel for him, but the attorneys were not familiar with the facts in the case and little defense could be offered.

The boy pleaded not guilty and gave his age as 16. While this was corroborated by his closest relatives, a few good white folks who have known the family quite awhile declared the boy was 18, thereby making him "a killing age." The court accepted as given by the white family found guilty imposed of death upon the

NEWS

JUL 21 1927

CAPITAL PUNISHMENT.

Four negroes are in the death house at the South Carolina penitentiary and unless the unexpected happens, will be electrocuted on Friday, August 12th.

Sentiment against capital punishment is steadily growing in this country and The News predicts that the time will come when States will begin to abolish their laws which require that one must give his life for having committed certain crimes.

The sentiment against capital punishment would be much greater than it is today were it not for the fact that pardons are so easily secured in this country.

A man is electrocuted or hanged as punishment for having committed a crime but many argue that it would be greater punishment if he were required to spend the balance of his life in solitary confinement, having his conscience whip him from day to day, or possibly the image of the life he had taken appear to him nightly as he tried to get a few hours rest.

S. Carolina Electrocution Draws Crowd

COLUMBIA, S. C.—With several women and a four-year-old child among 40 spectators which jammed the death chamber, McKinley Thomasson, 18-year-old youth, charged with killing an aged white woman, was electrocuted here, Friday. Immediately following the electrocution, a large crowd, awaiting on the outside, was permitted to review the remains.

TOO LATE

Time was, when a crime was committed in South Carolina, that no thought of suspicion ever turned its direction towards a white man or woman. A convenient and ready Negro could always be found upon whom to fasten the crime and railroad him to the chair, if murder, or to take him to the chain gang or penitentiary if a lesser crime.

Sheriff Sam B. Willis, of Greenville, was brutally shot to death in or near his garage a few months ago. Suspicion pointed to his wife and one of his deputies and they were arrested, indicted and have been on trial for more than a week. Meantime the afterthought, that should have been a forethought, to assure success, came that the murder should be saddled on a Negro. One J. B. Willis, Negro, was accordingly arrested, hauled into court and an attempt made to fasten the murder on him.

Thanks to the fair mindedness of the Solicitor and Judge of the Judicial District, Willis was released, the Solicitor declaring that "the charge against him was without merit."

Lynching has never been popular in Greenville and we do not believe that this attempt to saddle the crime on the Negro Willis would have resulted in a lynching had he been charged with the murder immediately after its commission, but he would have had a dangerous call to the chair and would have had hard work extricating himself from it.

His escape is due to the lateness of the murderers in projecting him as the murderer and also the developing spirit of justice that is characterizing South Carolina.

NEGROES ESCAPE THE PENALTY OF DEATH

Haywood and Martin Sentenced to Life Imprisonment.

"Blue John" Haywood and Willie Martin, negroes, who have stood in the shadow of the electric chair for 10 days, will not have their lives snuffed out for the murder of Louis Distretti.

Lifetime imprisonment was the sentence imposed upon them last night by a jury in First criminal court. After more than a week's examination of witnesses in an endeavor to secure a jury, and after lengthy testimony and long arguments, the jury deliberated only about 20 minutes before rendering their verdict.

The masterful manner in which First Assistant Attorney General William Fisher had presented the state's case, and the majority of the large number of spectators, who had listened throughout the trial, believe that a verdict carrying with it the death penalty would be returned in short order.

Efforts of the defense to establish an alibi failed, and C. H. Tipton and H. D. Himmelstein, attorneys for the negroes, concentrated their efforts toward securing the manner in which they contended the confessions of the negroes were obtained. Both defendants testified that they had been severely beaten and signed the confessions in fear for their lives. Many witnesses, however, testified that the negroes made the statements voluntarily and without pressure being brought to bear upon them.

The crime was committed on the night of Dec. 4, when Distretti fired at three negroes who had held up his store on the Pigeon Roost Road. In the exchange of shots the Italian was killed.

Roosevelt Body, said to be the third member of the trio, was arrested recently at Greenville, Miss., by Deputy Sheriffs Clark and Willis, and will go on trial for his life soon. He said to have confessed to his part in the crime.

TWO NEGRO BOYS ADMIT KIDNAPING OF FRAZIER CHILD

Youths Captured at Home:
Chattanooga After Eleven
Days Search By

ABDUCTORS OVER
\$3,050 OF RANSOM MONEY

Confess After Long Grilling;
Lewis Willis, 17, Shoulders
Blame For Crime

CHATTANOOGA, TENN., April 7.—(AP)—Eleven days and nights of relentless pursuit of the kidnapers of little Virginia Jo Frazier, two-year-old daughter of Commissioner and Mrs. Fred B. Frazier ended, at 9 o'clock, Wednesday evening when Lewis Willis, 17, and his brother Arthur, 14, negro youths, broke down under the grilling of detectives and made confessions following a raid upon their shanty at 1018 East Third street. Capture of the negroes was kept secret until tonight.

Cowed by officers into submission, the boy abductors handed over \$3,050 of the \$3,333 ransom money paid to them by Commissioner Frazier. Lewis shouldered all the blame for the kidnaping, although it was admitted that Arthur had connived with him in taking care of little Virginia Jo, who was stolen from her cradle on the night of March 23.

Suspensions of several days standing were verified by Detectives Dodson and Burns and Deputies Taylor and Wheeler, who raided the shanty in which the boys lived early Wednesday evening. The officers found both of their suspects at home and took them into custody, holding them under \$7,000 bond at the county jail. Grilled by officers, the youths made a clean sweep of the kidnaping which aroused the entire south.

Marked Bill Clue.

The finger of suspicion first pointed at Lewis Willis when he cashed a \$20 bill at the Red Star pharmacy on East Third street Tuesday, two days after the kidnapers had received the ransom from Mr. Frazier. Witnesses said that the negro boy had run two blocks, turning into a side street and disappeared. The Willis boys live but one block away from the pharmacy.

Detectives immediately began to search the neighborhood, seeking some clue which would reveal to them the identity and whereabouts of the negro boy who had cashed the \$20 bill, which had been marked with the rest of the money before Commissioner Frazier turned it over to the abductors.

Employees in the store were responsible for the eventual apprehension of the pair. They identified the elder Willis as the one who cashed the marked bill in the pharmacy.

Motives other than greed for money could not be found. The assumption that the kidnapers knew the inside of the Frazier household was verified when it was learned that Lewis had worked for Commissioner Frazier, doing odd jobs and washing his car on several occasions. It would have been easy for him to have learned the general floor plan of the Frazier house had he so desired.

Arthur, who played nurse-maid to the kidnaped child, was formerly employed at Erlanger hospital to clean and do other janitor work. He left the employ of the hospital several weeks ago. It is believed that he stole the drug with which Baby Virginia was silenced during the period of her confinement.

NEGRO INDICTED FOR KIDNAPING TENNESSEE CHILD

Chattanooga, Tenn., April 11.—(AP)—Lewis Willis, 19-year-old negro, was indicted by the grand jury for the kidnaping of Virginia Jo Frazier, daughter of Commissioner Fred B. Frazier, who was stolen from her cradle at her home weeks ago. The negro was also indicted for burglarizing a store a short time before the kidnaping and of carrying Willis, 13, who was connected with the kidnaping case, was postponed by the juvenile court.

NEGRO SENTENCED TO DEATH FOR MURDER

Memphis, April 13.—(AP)—Carew McKinney, 33-year-old negro, was today sentenced to die in the electric chair at the state penitentiary at Nashville, after a jury found him guilty of murdering Umberto Rex, Italian beer, here last June. A motion picture of the verdict was shown.

In a written confession McKinney said he had shot Rex in self defense after McKinney had attempted to rifle the grocer's cash register. He charged Rex started to kill him with a meat cleaver.

THE KIDNAPPERS

It is hardly conceivable that two Negro youths, ages 18 and 14, could have so plotted and successfully executed the kidnaping of a little child and collected more than three thousand dollars in ransom money, as was disclosed in the greatly deplored case of little Virginia Jo Frazier, at Chattanooga. Notwithstanding the frank confession of the two youths to the officers, and the check up on the statements of the boys which gives a ring of authenticity to their stories, it appears even yet that some older minds engineered the crime, and judging from the reports emanating from the Hamilton county city, we are of the opinion that the authorities there are of the belief that a deeper inquiry into the affair will disclose that these two irresponsible young Negro boys, unmindful of the seriousness of the charge against them, are shielding the "higher-ups" in the affair.

Anyway, regardless as to whether Lewis and Arthur Willis planned and executed the crime, or were in the hands of others, they exhibited ability to think soundly and therefore knew right from wrong. The extreme punishment should be meted out to them for their part in the kidnaping.

NEGRO WOMAN FREED.

Willie Lee Williams, Charged With
Manslaughter, Given Clemency.

Willie Lee Williams, negro woman, charged with manslaughter, won her freedom in second criminal court yesterday when Attorney General W. Tyler recommended that the charge against her be dismissed. The woman ran down and killed Mrs. Margaret James on Hernando Street, Feb. 28. The accident was unavoidable, as the radius of the negro woman's automobile broke and she had no control over the car. Relatives of Mrs. James claimed that the charges against the Williams woman be dismissed.

Negro Kidnaper Of Little Virginia Jo Will Face Hearing

CHATTANOOGA, TENN., April 10.—(AP)—Arthur Willis, 13-year-old kidnaper of Virginia Jo Frazier, 2-year old daughter of City Commissioner Fred B. Frazier, will be given a preliminary trial before Judge W. A. McGaughy in police juvenile court tomorrow morning. His brother, Lewis Willis, leader of the kidnaping plot, has been bound to the grand jury and the case will be investigated by the grand jury body at once. He is said to have acted as nurse-maid to the kidnaped child while it was hidden in the attic at the Willis home.

It was reported today that other arrests would probably follow in the case, officers being incredulous concerning the story of the kidnapers that the Frazier baby was kept several days in the Willis house without the knowledge of the mother and aunt of the kidnapers. Checking up by officers has shown that the Willis boys have related several untruthful stories concerning the details of the kidnaping and the investigation is expected to involve adults in the crime.

TRIAL OF BOYS HALTED AS OFFICIALS SEEK THE PLOTTERS

PROSECUTOR IS CERTAIN

OTHERS AIDED IN CRIME

Attorney General in Probe of Kidnapping Case Says Others Were Involved.

Chattanooga, Tenn., June 13.—The trial of Lewis Willis, colored youth charged with kidnapping of little Virginia Jo Frazier, 2-year-old daughter of Fred B. Frazer, commissioner (mayor) of this city, called in Criminal Court, was continued until the first week in July. Judge Lusk in granting the plea of Attorney General John J. Lively for a continuance said that the case would go over to not later than the first week in July.

Willis was ready to plead guilty and accept whatever sentence was imposed.

In making his application for a continuance, General Lively said that he had never been satisfied but that someone else besides Lewis Willis and the 13-year-old brother, Arthur Willis, was implicated in the crime and he wanted to determine this question. He said the grand jury would meet on June 21 and would at once take up a further investigation of the case to determine if others were implicated.

He said the state was ready to try the question as to the age of the defendant, who claimed he was only 17 years of age, and he did not ask a continuance on this ground, but solely to determine whether others were implicated.

Attorney General Lively in making application to the court for a continuance in the Lewis case, charged with kidnapping of little Virginia Jo Frazier, and also on a charge of burglary, having entered a pawnshop here in the city of Chattanooga some time previous to the kidnapping, stated to the court that the application was not made on account of ques-

tion of the age of the defendant as the state had proof that the defendant was over 18 years of age.

"This application is not made on account of the defense as to the age of Lewis Willis, because the state is satisfied that it has ample proof today to show beyond a reasonable doubt that this boy is more than 18 years of age, but it is made for the purpose of allowing the state further time in order that justice may be done, both to the defendant and to the state. If Lewis Willis was persuaded or induced by other parties to kidnap this child, then certainly that should be taken into consideration in his case, but I have never been satisfied, nor has the public been satisfied, but that someone else was connected with this kidnapping, and I think that it is a matter of such importance to the people and to the defendant that every phase of it should be investigated.

ONE NEGRO MUST DIE; OTHER GETS LIFE TERM

Governor Peavy Personally Investigates Cases Before Decision

NASHVILLE, TENN., May 19.—(AP)—John Franklin Webb, Shelby county negro, must die in the electric chair at dawn Friday, while Paul Reckard, another negro sentenced to death, will serve a life term instead, according to announcement made by Governor Austin Peavy early tonight.

Webb was convicted of criminal assault on a young white woman. Reckard was found guilty of killing a fellow convict in Brushy Mountain prison.

The news telephoned at 6:15 p. m. to the prison from the office of Lewis S. Pope, commissioner of institutions, ended a suspense of four days during which Governor Peavy made exhaustive study of the court records.

He spent the morning and noon interviewing the two in the death cells, he read testimony most of the afternoon, and then dictated the statement which meant life for Reckard and death for Webb.

ABOLISH THE LASH

The local Negro citizenship has watched with much interest the ready manner in which The Knoxville News-Sentinel and the Woman's Christian Temperance Union exposed and denounced the apparently unwarranted shooting of a defenseless Negro prisoner at the Knox county workhouse. Members of the free fair solace in the face of such gross injustices accorded them when influential organizations like these take a firm and unquestioned stand in denouncing such wrongs.

Our community has hardly forgotten the terrible conditions which existed at the county workhouse under the Spradlin administration, when Negroes as well as white prisoners were subjected to the most cruel and brutal treatment. It is earnestly hoped that the officials in charge of this branch of our county institutions will not tolerate a recurrence of such conditions. The sentiment as expressed by the W. C. T. U. is heartily concurred in by all right thinking people who are interested in humanity, to the extent that the lash and cruel punishment be abolished at our penal institutions.

WHITE MAN SHOT TO DEATH ROBBING NEGRO HEN HOUSE.

Nashville, Tenn.—Lillard Tims, white man, was shot and killed here recently by Sam Mayes, a Negro, as he approached the Negro's hen house carrying a gunny sack in his hand. Mayes told police that he had been robbed of 32 chickens lately.

Watching over his flock, Mayes said he saw a figure loom up in the uncertain light of early morning. He could not ascertain his color, he declared, and when he failed to stop after Mayes had called a warning, the latter fired.

Tims had been convicted of chicken theft several times. Members of his family said that he was regarded as mentally deranged.

ONE MORE HOMICIDE.

Tallied When Negroes Have a "Triangle Slaying."

One more homicide early last night increased the total for the year nearly on half-hundred mark when a jealous negro husband slashed another of his race into eternity.

The deceased is Mose Morris, 30, negro, 732 Autumn Avenue, who stayed for supper last night at the home of the slayer's wife, Pennine Bailey.

While Pennine was stirring the hoe cake batter, she spied her husband on the back porch.

"There's my husband," police said she cried.

Mose went out the back door and Pennine's husband went around the house after him and caught him just as he was crossing the bayou in the rear of their home, whereupon he pulled his knife and slashed Mose. Mose died at General Hospital ten minutes later.

The alleged slayer, police say, is Victor Bailey, whose address is said to be 2911 Scott Street, Little Rock, Ar.

Just 42 for the year.

Emergency Patrolmen W. A. Stocks and W. B. Markham made an investigation of the affair and arrested Pennine for questioning.

WHITE MAN SHOT TO DEATH ROBBING NEGRO HEN HOUSE

Nashville, Tenn., July 27.—(AP)—Lillard Tims, white man, was shot and killed here early today by Sam Mayes, a Negro, as he approached the Negro's hen house carrying a gunny sack in his hand. Mayes told police that he had been robbed of 32 chickens since Monday night.

Watching over his flock, Mayes said he saw a figure loom up in the uncertain light of early morning. He could not ascertain his color, he declared, and when he failed to stop after Mayes had called a warning, the latter fired.

Tims had been convicted of chicken theft several times. Members of his family said today that he was regarded as mentally deranged.

Crime-1927

BLACK BANDIT WASHES WHITE AFTER ARREST

Memphis, Tenn.—(ANP)—Jack Adams, a white insurance agent, rushed into the police station reporting that a burly black Negro had held him up and robbed him of a diamond stud and \$60 in cash. The police got on the job immediately and apprehended the bandit, but when he arrived at the station and was made to "wash-up" it was discovered that the "black bandit" had turned white.

*Black Bandit
Washes White*

MEMPHIS, Tenn., Oct. 20.—Jack Adamo, a white insurance agent, rushed into the police station, reported that a burly black Negro had held him up and robbed him of a diamond stud and \$60 in cash. The police got on the job immediately and apprehended the bandit, but when he arrived at the station and was made to "wash-up" it was discovered that the "black bandit" had turned white.

MEMPHIS, TENN. Special Appo.

Memphis' Homicide Record.

There have been 76 homicides in Memphis during the year now nearing a close. At best it is a horrible record, but an analysis of it shows that it is not so bad as it seems.

The negro population of this city is about 37 per cent of the total, yet there were four times as many killings among negroes as among whites.

Probably few residents of cities having an inconsequential negro population understand the full significance of this fact, because they know nothing of the mental attitude of negroes in their dealings with and relations to each other.

When aroused by anger or jealousy, the negro, as a rule, holds life cheaply. He is not possessed of that self-control or regard for law that governs the white race, as a whole.

Of the more than 100,000 white residents of Memphis, 15 were homicide victims during the year. Against these figures are 61 negroes killed, out of a negro population of about 61,000. While the homicides show that one negro out of every 1,000 died a homicidal death, only one white out of every 6,600 suffered a similar fate.

But, whatever crumb of comfort Memphians may get out of an analysis of the city's homicide record, the fact remains that they are humiliated because of it. A comparison with the records of other cities along this line may show that in proportion to population Memphis is not as bad as some municipalities that might be named, but this does not wipe out the red blot on our own city, nor should it lessen the efforts being made to ascertain and apply the remedy.

So far as concerns deeds of violence among members of the white race, it is pretty well agreed that a surer and swifter justice would be the greatest deterrent to those who have already embarked on careers of crime. For the younger generation

we must depend in the main upon the home, the church and the school. While the courts and other law-enforcing agencies are applying drastic remedies in dealing with matured criminals, we must rely upon a fitting home environment and the proper training of heart and mind to prevent the growth of criminal tendencies in those who are now entering or passing through the formative period of their lives.

In the effort to eradicate the criminal tendencies of the negro the problem is almost entirely that of education—spiritual, moral, mental. The temperament of the negro is such that there is little hope of reforming him who has already begun a career of crime. The negro who has grown to maturity in an atmosphere of ignorance and vice has little fear of the law when, for any reason, he is aroused, and the legal penalty prescribed for crime seldom stays his hand.

First of all, the white race should set for the negro a worthy example

in the virtues of self-control, respect for the law and regard for the rights of others. And in the meantime leaders of the negro race should be diligent in their efforts to instill in the youth of their blood an appreciation of liberty under the law and a love of those things conducive to the peace, happiness and prosperity of the community at large.

Under such a program we would have something substantial upon which to base the hope for a law-abiding city and a better da

Crime - 1927

TRIBUNE
MINNEAPOLIS, MINN.

JAN 17 1927

Benjamin Hollings' Great Privilege.

Governor "Ma" Ferguson of Texas has issued a conditional pardon to a murderer who has served six years of a 99-year sentence in prison for his crime.

The condition is that this man, who happens to be a Negro, shall work for and under the direction of Governor Ferguson's husband, James E. Ferguson, for a period of six years. His compensation is to be \$15 a month in money, together with board and clothing.

The cynic who stands off and looks on may have but the one thought that this is a fine arrangement for Mr. James E. Ferguson, but he should think of the additional compensation the man will have in constant association with Mr. Ferguson for six years.

Moreover, there is the pecuniary consideration that if Benjamin Hollings saves all his earnings he will have at the end of the six years the comely sum of \$1,080, plus any interest his savings may draw, if any.

Mere money, however, should be secondary to the ever-present consciousness that he enjoys in a more or less detached way the companionship of a man who was governor of the state until he was impeached for cause and lost his right to hold public office. Presumably also he will be under the benign influence of Mrs. Ferguson who became governor and extended clemency to 3,200 other persons who had been imprisoned for crime.

Benjamin Hollings is not to be looked upon as a bondsman in the sense that southern Negroes were bondsmen in pre-Civil war days. These old bondsmen were not paid, and Hollings is to get \$15 a month and his keep. His master will not be privileged to sell Hollings to some other man who might covet his services for \$15 a month. It is only up to Hollings to "stay put" and to do what Mr. Ferguson tells him to do. He will have another advantage over his pre-war kind. If he should flee across the Texas border into another state, there will be no federal fugitive law compelling that state to yield him up and return him to his temporary master.

Of course Texas is now to have a new governor, and there may be power lodged in him to modify this Ferguson-Hollings arrangement radically. If not, Hollings will be expected to be good, heed his master's voice and be content with his \$15 a month and keep. What has been done in his case is said to be permissible under Texas laws, but the good taste of Governor Ferguson in doing it is open to challenge.

VIRGINIAN-PILOT
NORFOLK, VA.

JAN 18 1927

A Relic of Slavery

A conditional pardon issued by Governor Miriam A. Ferguson of Texas to a Negro serving a life term in the State penitentiary requires that the man work for six years for her husband, James E. Ferguson, at a salary of \$15 a month with board and clothing. The dispatch announcing the granting of the pardon carries the information that conditional pardons and paroles in Texas usually contain stipulations which the beneficiary must fulfill in order to profit by the act of clemency. It would seem that conditions similar to those imposed in the grant now under discussion are frequently laid down in releasing Texas convicts from prison.

Whether the practice is entirely legal is a question for the lawyers and the courts, but there can be no doubt of the fact that it is highly improper from a moral point of view. The State has every right to require the surrender of individual liberty in punishment for crime and during the period for which such a surrender is exacted, the State may properly demand the performances of personal services. But when convicts are paroled or pardoned, even

conditionally, the State's right to their services ceases. It is a barbarous relic of slavery to require a man who is released from prison to become the serf of a private citizen at a fixed wage and for a fixed period with the understanding that any failure to carry out the wishes of his employer means a return to prison. It is futile to argue in defense of such an arrangement that the convict would be bound to work in the penitentiary unless released and that his condition as the bound servant of a private employer is better than his condition as a convict. This may be true, but it is also true that every man who is released from prison is entitled to an opportunity to restore his fortunes and to rehabilitate himself. No man can accomplish these results if he is bound to serve another man with the door of a penitentiary yawning to receive him in the event he fails in his obligation to his master. If the practice of pardoning convicts under such conditions is legal, the law needs to be changed.

Texas.

AND THE GRAND JURY
INDICTED HIM

A few days ago when a former peace officer went to the home of a Negro in Dallas for the purpose of searching the house it is alleged that he fired through a window at the man who claimed that he could not open the door because he did not have the key. The man reported the affair and after an investigation by the department of the sheriff, the case was turned over to the grand jury with the result that the evidence was found sufficient to indict the officer for assault to murder.

To some this procedure might seem unusual when it is taken into consideration that the officer was white and the near victim was a Negro but to The Express, it appears but that the natural thing happened and that Dallas County by this action has again declared that its officers must be those who preserve the peace. It is as natural that this action of the grand jury should follow the presentation of sufficient evidence as that high-jackers whose guilt is proven should be given very heavy penalties. The matter of race is of no importance when the lives and safety of citizens is threatened.

Crime of whatever sort it is and by whatever person it is committed should be promptly deterred. The Express believes that such is the intention of those who control the judicial affairs of Dallas County. In numerous instances this has been proven true and the rendering of this most recent indictment but serves to cement the belief of every citizen in their determination to continue; for every citizen realizes that it is only by such just and impartial dealing that the reign of peace, which is always doubtful in these days of crime, can be made permanent.

PRISONERS ESCAPE TEX. PRISON FARM

Houston, Texas., June 22.—While city and county officers looked in vain for the 21 Mexican convicts who escaped from the Blue Ridge State Prison Farm Monday, a colored fugitive from the Ramsey State Prison Farm, who escaped Sunday, was retaken in Houston Tuesday night.

The captured fugitive, Maurice Felder, was convicted in Wharton in 1915, on a murder charge and sentenced to 99 years. Deputy Sheriff J. G. Henderson, arrested Felder as he sat in a servant house on the 3700 block on Fannin. Henderson worked on a "tip," he said.

Six Mexicans were held by police Wednesday as possible escaped convicts. Three were arrested under a bridge on Katy road and three on Washington avenue. Nothing has been learned by police to connect them with the prison break.

The 21 Mexicans escaped from the farm by dropping through a hole sawed in the floor under the dining table. The work of sawing the hole took about three weeks, prison officials estimated. Its presence was hidden by wetting the boards, which swelled them shut.

FREETEXANSWHO WERE JAILED ON MURDER CHARGE

Quiz Of Lynching Comes To Nothing As Three Men Are Freed By Jury

RICHMOND, Tex., May 25.—A jury in Judge M. S. Davidson's District Court last week acquitted three white men of a murder charge growing out of the lynching of Robert Brown, Scott Evans and his wife, Sallie, colored Americans, Nov. 10 last, on the Bassett-Bosch ranch near Katy.

Although convicting testimony was

offered against the alleged lynchers by nearly a score of witnesses, all three denied the guilt and offered alibis.

The trial was started Monday after over two score jurors had been dismissed for having fixed opinions. Two of the defendants, John Crowder and Buster Roberts, were found not guilty Tuesday at noon by an instructed verdict from the court. The third defendant, H. B. Crowder, Jr., was not released, however, with the others. When the motion was made to dismiss the charges then State's Attorney Bob Bassett would not agree to the motion in his case. The hearing of the latter's case began at 1 p. m., and the jury retired at 8:45 p. m. The verdict of acquittal was delivered 12 hours and 5 minutes later.

Confessed Crime

Convicting testimony was offered by state witness, former sheriff H. A. Hagan of Fort Bend County. He stated that on the morning after the lynching H. B. Crowder, Jr., came to him and said, "I understand you're looking for me. I want to surrender. I killed those nig— last night on the Blakely place."

The state's first witness to be called Tuesday, G. R. Coffman, testified that H. B. Crowder, Jr., rented a touring car on the evening of the lynching and was gone five hours and a half. The proprietor of the garage, L. O. Tarrant stated that the speedometer registered a trip of 72 miles, about the distance from Houston to the Blakely Ranch and back. T. C. Anderson another witness, said H. B. Crowder, Jr., had come to him and said, "I got some nig—, the one who killed my brother." O. L. Miller, automobile dealer, said Crowder, Jr., said to him, "I cleaned up the Blakely ranch, I got nine nig—, the one who killed my brother." I shot a tall nig— about nine times to kill him."

John Crowder and Robert's Strongly denied that they were in the vicinity of the lynching the night it was committed, as did Crowder, Jr. Elaborate alibis were offered by all three, especially the latter and they were substantiated by witnesses most of whom were known to have been their friends and one H. B. Crowder, Sr., wealthy farmer father of the Crowders.

The state charged that the three defendants were prompted to raid the Blakely ranch by shooting of Wallace Crowder, a brother of the Crowders by a colored youth in an altercation in front of a dance hall a few nights before the ranch affair. The alleged slayer was said to have been a friend of the Evans which resulted in them being made targets for vengeance.

The raiders came upon their victim's cabin early in the evening. They fired hundreds of shots in the building and riddled Roberts with bullets when he came out to plead with them. They allowed an 80-year-old race man, Franzee Holmes, to go unharmed, because of his age, but when Evans and his wife refused to leave the cabin they set fire to it. Both were found within a few feet of the ruins of the structure, their bodies being badly burned and mutilated and their heads cut open.

ADVOCATE

Victoria - Tex

JUL 21 1927

RACE RIOT BREAKS IN BEEVILLE JAIL

BEEVILLE, July 21.—A race war on a small scale broke out in the Bee County jail in this city.

It has been brewing for several days while the sheriff and Jailer Eugene McCollum was attending the state sheriff's convention in Laredo. A negro, held to await a report on his sanity from another state, and a Mexican, held on a burglary charge, had been quarreling for several days.

At last the Mexican succeeded in loosening an iron pipe from some plumbing fixtures and slipped up behind the negro and laid him low with a blow across the head.

In due time the negro regained consciousness and by noon was feeling fairly well—so good, in fact, that he decided to get a bit of revenge. The Mexican who had felled him having been taken from the cell he proceeded to operate on his friend, another Mexican, who had been taking the part of the Mexican who wielded the pipe.

Grabbing up a milk bottle the negro smashed it over the head of the Mexican and he went down for the count.

The presence of another negro in the cell, who stopped both fights, probably prevented the assailants from finishing their jobs. Sheriff McCollum says the jail was the bloodiest he has ever seen it. The prisoners are now occupying separate cells.

BANNER

JUL 21 1927

Local Negroes Launch Move To Cut Crime

A movement has been launched here by the negroes of Greenville having as its objective the curbing of law violations by their own race, through a better understanding of the laws that promises to become state and perhaps nation wide.

A group of those sponsoring the movement have asked W. N. Henly chief clerk of the County Court for statistics, showing a comparison of law violations as committed by negroes over the period of the past five years.

The figures now being compiled by Mr. Henly will show the number of criminal prosecutions in the Hunt County Court, dating back to 1922 and will list the various statute violations and the charges made.

Those who are backing the movement, plan to make an effort to show these figures and to impart such instruction of an informative nature as will tend to prevent or lessen these violations.

Figures thus far compiled show that theft charges comprise the majority of such prosecutions as docketed in Hunt County.

Judge Phippen in Charging Grand Jury Deplores Fact That All Murder Indictments This Year Have Been in Negro Cases

Most of the murders that have happened in Dallas so far this year have been among the Negro race, Judge C. A. Phippen said Monday in charging the new grand jury which was sworn to office this morning. The judge said that he was gratified to see that murder is on the wane in Dallas county, but lamented the fact that the Negroes are impairing what would be an excellent record if it were not for the killings among them. Records show there have been about ten Negro killings in Dallas county since the first of the year. On the other hand there has not been a fatal shooting among the white people this year which resulted in a murder indictment. The grand jury this term was chosen in the usual fashion, no Negroes being named on the panel by the grand jury commissioners. This has been the custom here for many years, however.

Crime-1927 Negro Innocent Tho Convicted

Speedy Justice In The South Responsible

New York, Feb. 27—The National Association for the Advancement of Colored People, has received copy of an editorial published in the Virginia Pilot (which points the moral of "speedy justice" for Negroes in the South and the lynching, legal or otherwise, of colored persons accused of crime. The Virginia Pilot's editorial in full is as follows:

A Sobering Lesson
John Wilson, the Negro who was found guilty of the murder of Mrs. S. Heath, of Olive Branch, and sentenced to die in the electric chair, appears after all to have been innocent. He is still in the penitentiary, and still, theoretically, in the shadow of death, but if the recommendation made by Commonwealth's Attorney Carney to the Governor is complied with he will soon be a free man.

The facts are as follows:

Mrs. Ella S. Heath was murdered on August 21, 1926.

On August 24 the court convened a special grand jury.

On September 7, the grand jury indicted John Wilson and Paul Green, alias Rat, jointly; and John Wilson separately.

On the same day, Green being then at large, Wilson was convicted and sentenced to die on October 22.

On November 26, Green was tried and found guilty of the crime and sentenced to the penitentiary for life. Meanwhile two reprieves had stayed the execution of Wilson.

The principal witness against Wilson having admitted that she lied, and Green having been convicted of the crime on evidence precluding Wilson's implication in it, the Commonwealth's Attorney, after "lengthy, careful and prayerful consideration of the facts in the case," has reached the conclusion that Wilson is not guilty and that he should be at once released from the penitentiary. On the face of the facts as they stand determined of justice, the conviction of Wilson was a mistake. Only the grace of God has prevented it from being a fatal mistake.

Here is a sobering lesson with a special moral for Southern justice.

ice. The murder of the aged white woman was a brutal one. Public sentiment was aroused to such an extent that when suspicion fell on Wilson, the judge of the Circuit Court was alarmed for his safety and ordered him transferred to the Norfolk city jail. What might have happened had the court not acted promptly to remove this man to a place of safety and had the friends and neighbors of the dead woman yielded to the passions of the moment, is not pleasant to contemplate. On a smaller showing of guilt many a Negro has been lynched. Had a mob taken this case in hand it would have put to death an innocent man.

There is a lesson in this case for all those who are disposed to temporize with lynching. Let these ask themselves how many scores of innocent John Wilsons have been done to death by lynchers in the past twenty-five years? The answer, if there were any way of ascertaining it with exactitude, would be appalling. There is another lesson in this case for judges and juries confronted with the duty of making life and death judgments in cases concerning which there is great public excitement. The more one considers the case of John Wilson, the more one must realize how essential it is to justice, to elementary decency, to stamp out lynching as one would stamp out a poisonous snake.

A SOBERING LESSON

Virginia-Pilot, Norfolk, Va.

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THE CASE OF COL. JONES

B. NELL BATTLE LEWIS,
in News and Observer, (Raleigh)
It is a brief story. Colonel Jones, 19-year-old Negro boy, was sentenced to the chain-gang in Forsyth county. One day, he was taken to the prison camp.

Two days later he was dead. Before his death he was cursed, kicked and severely beaten by officials of the camp. His dead body showed the marks of heavy lashes; the skin broken in numerous places, the flesh bruised.

But this is a story which had little effect upon the Forsyth county Grand Jury. In its report the Grand Jury stated that it "could not find sufficient evidence to draw indictment against the guards and foreman in connection with the death of prisoner Colonel Jones." "However, it is evident," the report continues "that certain rules governing punishment have been violated. From evidence submitted, Colonel Jones was ill from the time he arrived at the camp until his death, and we have found that the county physician may have been negligent in allowing the prisoner Jones to be worked while sick, and also permitting him to be whipped. We also found that Sam Jones and Smith Cable used abusive language toward the prisoners."

This report is a disgrace to the State of North Carolina. This Negro was killed by being whipped when he was ill, and yet the Forsyth Grand Jury can find no evidence for indictment. One wonders what would constitute sufficient evidence for indictment in the minds of the members of this jury when manslaughter does not. The jury salves its conscience—if it has one—by promising discharge and arrest for future offenses. But there is no future for Colonel Jones. His death remains unpunished.

A pretty case. Pretty enough in the cursing, kicking and whipping of a sick, defenseless Negro by sadistic whites. Pretty in the report of a stupid or cowardly coroner who declared that the death was caused by "heat exhaustion and acute diarrhoea." Prettiest in the humane and civilized sentiment of a group of twelve men who cannot find in manslaughter sufficient evidence for indictment of prison officials.

Apparently one Negro beaten to death on a chain-gang is a matter of small import in North Carolina, and yet we wonder why we are considered part of the backward South. We are civilized in North Carolina, we say, civilized enough to build decent roads, civilized enough to resent, upon occasion, the just accusation that we are low in educational rank, but not quite civilized enough to care whether a Negro is flogged to death. The next time we boast of the scarcity of lynchings in North Carolina, let us remember Colonel Jones and the Grand Jury for whom his death was not sufficient cause for indictment.

Fortunately for our unsullied reputation, Colonel Jones has no come-back. He has no political influence. He has no friends. He is just one more dead nigger, and we have too many niggers down here anyway. Colonel Jones will be silent. He won't tell on us. We have silenced Colonel Jones for good and all. Let the applause proceed.

Crime 1927

Virginia
8

Arrested by Southern Sheriff as Fugitive

Carter Robinson, 32, of 178 W. 135th St., was arrested last Sunday night by Sheriff Jordan Woolfolk (white) of Henrico county, Virginia, and Detectives Connelly and Burns of the W. 135th St. station, on a warrant charging him with being a fugitive from justice. The sheriff from Virginia alleged that Robinson escaped from Virginia prison road gang in 1923 and fired a charge of buckshot at his legs while attempting to make his escape. Robinson is said to have admitted that he had been a prisoner in Virginia.

VIRGINIAN-PILOT NORFOLK, VA.

FEB 14 1927

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